

DEPARTMENT OF COMMERCE AND LABOR.

BULLETIN

OF THE

BUREAU OF LABOR.

No. 72—SEPTEMBER, 1907.

ISSUED EVERY OTHER MONTH.



WASHINGTON:
GOVERNMENT PRINTING OFFICE.
1907.



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**ITALIAN, SLAVIC, AND HUNGARIAN UNSKILLED IMMIGRANT
LABORERS IN THE UNITED STATES.**

BY FRANK J. SHERIDAN.

The present article deals with the unskilled immigrant laborers of the Italian, Slavic, and Hungarian races, and undertakes to show how they have fitted themselves into the industrial life of the United States. A study has been made of the distribution of these laborers and their selection of certain States for especial industrial activity, the demand for their services, their wages, their methods and costs of living compared with American standards and costs of living, and their segregate system of living and employment and its effect upon them and upon their assimilation. The results of this study are presented in the following pages.

Although according to its title this study deals chiefly with unskilled immigrant laborers of the Italian, Slavic, and Hungarian races, yet, following the classification of the United States Bureau of Immigration and Naturalization, it includes some immigrants who are of the same grade and come from the same countries but belong to other races. Thus, under Slavs are included Hebrews from Eastern Europe, Roumanians, and others who, strictly speaking, are not of the Slavic race. In the preliminary tables, dealing with all immigrants from Eastern and Southern Europe, Hebrews are included in the Slavic group, though their numbers are given separately. In the discussion and tables following the preliminary tables, and dealing with the "Italian, Slavic, and Hungarian unskilled immigrant laborers in the United States," Hebrews are not included for the reason that they do not engage in the unskilled occupations on railroads and in mines,

etc., considered in this article. Few of the males of the race seek employment through labor agencies and are shipped out of the cities by them. They are, as a rule, employed in the greater cities in occupations not requiring much physical strength.

The total number of foreign-born persons in the United States, exclusive of Alaska and Hawaii, at the census of 1900 was 10,356,644, or 13.57 per cent of the total population. The number of these who were of Italian, Slavic, or Hungarian birth, together with the number of the same races who were admitted to the United States in each year since 1900, is given in the following table:

NUMBER OF FOREIGN-BORN PERSONS AND NUMBER AND PER CENT OF THOSE OF ITALIAN, SLAVIC, AND HUNGARIAN BIRTH IN THE UNITED STATES AT THE CENSUS OF 1900 AND NUMBER ADMITTED IN EACH YEAR, 1901 TO 1906.

[The numbers admitted for each year from 1901 to 1906 are compiled from the Reports of the Commissioner-General of Immigration.]

	Total foreign-born persons of all nationalities.	Persons of Italian, Slavic, and Hungarian birth.	
		Number.	Per cent of foreign-born persons of all nationalities.
Number living in the United States, June 1, 1900.....	10,356,644	1,885,896	18. 21
Number admitted to the United States, year ending—			
June 30, 1901.....	487,918	320,747	65. 74
June 30, 1902.....	648,743	429,251	66. 17
June 30, 1903.....	857,046	536,979	62. 65
June 30, 1904.....	812,870	492,307	60. 56
June 30, 1905.....	1,026,499	657,029	64. 01
June 30, 1906.....	1,100,735	739,978	67. 23

From the foregoing totals should be deducted the returning immigrants, variously estimated as being from 28 to 40 per cent of the arrivals. There have been no records kept of returning immigrants, but this defect has been remedied by the immigration law of 1907, which requires from the steamship companies manifests in detail of outgoing as well as incoming passengers.

The Italian, Slavic, and Hungarian immigrants admitted into the United States during the year ending June 30, 1906, numbered 739,978 and were 67.23 per cent of the 1,100,735 immigrants of all nationalities admitted during that year. Of the total of all immigrants 598,731 persons were unskilled laborers, and 72.18 per cent of the unskilled laborers, or 432,152, were of the Italian, Slavic, and Hungarian races. Not included in the group of unskilled laborers were 285,460 persons of "no occupation," constituting almost wholly family groups of women and children, 66.22 per cent of whom, or 189,049 persons, were of the Italian, Slavic, and Hungarian races. The remaining 19.67 per cent of the total immigration, or 216,544, belonged to the skilled, professional, and commercial classes, and of this group

118,777, or 54.85 per cent, were of the Italian, Slavic, and Hungarian races.

The foregoing figures are presented in detail in the following table:

NUMBER AND PER CENT OF IMMIGRANTS OF ITALIAN, SLAVIC, AND HUNGARIAN BIRTH ADMITTED INTO THE UNITED STATES DURING THE YEAR ENDING JUNE 30, 1906.

[Compiled from Report of the Commissioner-General of Immigration for the year ended June 30, 1906, pages 29 to 33.]

Occupation.	Italian immigrants.	Slavic and Hungarian immigrants.	Italian, Slavic, and Hungarian immigrants.	Total immigrants of all nationalities.	Per cent of Italian immigrants of total.	Per cent of Slavic and Hungarian immigrants of total.	Per cent of Italian, Slavic, and Hungarian immigrants of total.
Unskilled laborers.....	184,832	247,320	432,152	598,731	30.87	41.31	72.18
No occupation (including women and children).....	59,729	129,320	189,049	285,460	20.92	45.30	66.22
Skilled workers.....	37,561	69,695	107,256	177,122	21.21	39.35	60.56
Professional and miscellaneous.	4,692	6,829	11,521	39,422	11.90	17.32	29.22
Total.....	286,814	453,164	739,978	1,100,735	26.06	41.17	67.23

A considerable number of the Italian, Slavic, and Hungarian immigrants had been engaged in agricultural pursuits in their native lands and had lived in scattered communities, removed from contact with great centers of population. This is shown in the following table for immigrants admitted from 1901 to 1906:

ITALIAN, SLAVIC, AND HUNGARIAN IMMIGRANTS ADMITTED FROM 1901 TO 1906 WHO WERE FARMERS OR FARM WORKERS BEFORE COMING TO THE UNITED STATES.

[Compiled from the Reports of the Commissioner-General of Immigration.]

Year.	Farmers.	Farm hands.	Total farmers and farm hands.
1901.....	362	43,008	43,370
1902.....	716	65,482	66,198
1903.....	2,340	54,582	56,922
1904.....	1,014	61,752	62,766
1905.....	9,821	112,240	122,061
1906.....	6,638	201,643	208,281
Total.....	20,891	538,707	559,598

Of the 432,152 unskilled laborers of these races admitted to this country in 1906, 48.2 per cent, or 208,281, had been engaged in agricultural labor before coming here.

Of the 82,115 farmers and farm hands arriving in 1906 from Italy, 90.7 per cent were southern Italians, and but 7,634 were from northern Italy.

The great mass of the 9,611,003 persons in Italy in 1901 engaged in agricultural pursuits were southern Italians. This class of workers in southern Italy raised over 90 per cent of the cereal crops. In 1904, they produced 70 per cent of the wine product and 99 per cent of the olive oil.

In Austria in 1900, 13,709,204 persons of the total population of 26,150,708, or 52.4 per cent, were engaged in agriculture. In Hungary in 1900, 13,175,083 persons of the total population of 19,254,559, or 68.4 per cent, were engaged in agriculture, including in both countries forestry, sheep breeding, dairying, market gardening, etc.

Since the year 1900 the United States has secured from Italy, Hungary, and from the Slavic countries 559,598 men who had been farmers and farm hands in their native lands, but who have become a part of the unskilled laborers employed in the various industries of the United States since their arrival.

The wages paid to unskilled laborers in agriculture and in other industries in the countries from which these immigrants come are extremely low, and the life of the laborer is one of continuous poverty. The common laborers' reasons for leaving their native countries may be summarized as follows: (1) Primary necessity; (2) to escape compulsory military service and other burdens; (3) to become self-supporting. All three objects are overcome or attained, they assert, by coming to the United States.

After their arrival in the United States these immigrants do not seek employment in agriculture, partly because of the difficulties in the way of securing it, but mainly because of the higher rates of wages in other industries. In transportation, manufacturing, mining, and in building the demand for common labor has been very great.

The Italian laborers prefer railroad construction, tunnel building, grading, ditching, building excavation, and work in factory industries, while the Slavs and Hungarians seek the industries where the compensation is somewhat higher and the labor somewhat harder—where strong men are required, as in the blast furnaces, iron and steel works, iron-ore handling, and anthracite and bituminous coal mining.

Other reasons why the Italian immigrant agricultural laborers do not seek American farm life are thus given by Italian authorities:

In spite of the fact that the great mass of the Italian population (in Italy) is engaged in agricultural pursuits, an unusual proportion of the inhabitants are congregated in towns. The Italian is no lover of the country; he dreads of all things an isolated dwelling. Landowners, farmers, and most of the laborers dwell together in their boroughs or hamlets, and the peasants have often a journey of several miles before they reach the fields intrusted to their care.

The following table shows for each race the number reported as having followed the various unskilled occupations before coming to the United States. Those reported as having no occupation (mostly women and children) are included:

IMMIGRATION OF UNSKILLED WORKERS OF THE ITALIAN, HUNGARIAN, AND SLAVIC RACES IN DETAIL, YEAR ENDING JUNE 30, 1906.

[Compiled from Report of the Commissioner-General of Immigration for the year ended June 30, 1906, pages 28 to 33.]

Race.	Draymen.	Farm laborers.	Farmers.	Fishermen.	Laborers.	Servants.	No occupation, including women and children.	Total.
Bohemian and Moravian.....	18	1,514	218	.....	531	2,025	4,973	9,279
Bulgarian, Servian, and Montenegrin.....	1	5,736	792	.....	3,935	110	523	11,097
Croatian and Slavonian.....	4	21,808	906	2	13,108	2,722	4,147	42,697
Dalmatian, Bosnian, and Herzegovinian.....	.....	1,424	198	17	2,284	98	195	4,216
Lithuanian.....	.....	3,944	78	.....	3,717	2,718	2,689	13,146
Polish.....	10	32,248	760	7	22,382	15,725	18,398	89,530
Roumanian.....	1	8,504	86	.....	1,560	289	666	11,106
Russian.....	1	1,629	86	.....	1,927	195	1,223	5,061
Ruthenian (Russniak).....	2	6,450	120	.....	5,171	2,733	1,358	15,834
Slovak.....	1	17,648	541	1	4,707	5,507	8,303	36,708
Total.....	38	100,905	3,785	27	59,322	32,122	42,475	238,674
Hebrew.....	44	1,712	168	10	8,378	9,839	77,143	97,294
Total Slav.....	82	102,617	3,953	37	67,700	41,961	119,618	335,968
Magyar (Hungarian).....	15	19,327	269	3	6,322	5,034	9,702	40,672
Total Slavic and Hungarian ..	97	121,944	4,222	40	74,022	46,995	129,320	376,640
Italian, north.....	84	6,132	1,502	7	17,565	3,157	9,306	37,753
Italian, south.....	506	73,567	914	214	70,344	10,840	50,423	206,808
Total Italian.....	590	79,699	2,416	221	87,909	13,997	59,729	244,561
Grand total Italian, Slavic, and Hungarian.....	687	201,643	6,638	261	161,931	60,992	189,049	621,201
Total of 41 nationalities.....	1,090	239,125	15,288	899	226,345	115,984	285,460	884,191

DISTRIBUTION OF UNSKILLED LABORERS.

There are many methods used in the employment and distribution of immigrants and of unskilled laborers. Most of the great industrial establishments have well-organized systems for registration and employment at offices within their own gates, where hiring is done directly and without the intervention of middlemen.

The labor employment agencies distribute but a small part of the total immigration. The New York City agencies distribute a maximum of about 70,000 men annually, and a large proportion of this is a redistribution including the movement of a number of American citizens. The total number of immigrants in 1906 reporting the State of New York as their destination was 374,708. Of the more than one million immigrants admitted in 1906, 86,539 reported the State of Illinois as their destination, and were absorbed there. The Chicago immigrant labor agencies had but a small number of these to redistribute. In other great cities conditions were the same.

Distribution through labor agencies is the most expensive method for the immigrant or other unskilled worker. The most effective as well as the least expensive means is through the international and domestic mail service. Through this channel reliable information as

to employment, wages, and location is given by the relative or friend in the United States to the intending immigrant before he leaves his native land. The relative or friend in the mine, factory, or work of construction knows if there is a shortage of labor or a place here for his relative or friend in Europe. The magnitude of the international mail and money-order business of the United States, together with the fact that the great mass of immigrants go unerringly to the States where wages are highest and their services in greatest demand, indicates the effectiveness of the system and the accuracy of the information.

The number of letters sent from the United States to foreign countries from the year 1900 to 1906, inclusive, was estimated by the superintendent of foreign mails to be 514,568,230, and the number received from foreign countries 282,857,558. In the same period, according to the annual reports on the transactions of the New York post-office, 12,304,485 money orders were sent to foreign countries, amounting to \$239,367,047.56, and of these, 4,264,633 orders, amounting to \$119,757,895.86, or 50.03 per cent of the total amount of money, were sent to Italy, Hungary, and Slavic countries. In these figures are revealed the most intelligent, sympathetic, and effective agencies of securing and distributing labor. Relatives and friends are the middlemen.

The intelligence of this international mail system and its immediate response to industrial conditions in the United States may be noted in the statistics of immigration. The immigration from Poland during the years of prosperity and depression in this country illustrates this response.

IMMIGRANTS FROM POLAND TO THE UNITED STATES, 1891 TO 1898 AND IN 1905.

[Compiled from Report of the Commissioner-General of Immigration for the year ended June 30, 1905.]

Year.	Number.
1891.....	27, 497
1892.....	40, 536
1893.....	16, 374
1894.....	1, 941
1895.....	790
1896.....	691
1897.....	4, 165
1898.....	4, 726
1905.....	^a 47, 224

^a Number of Poles reported as coming from Russia.

These figures tell their own story. The year 1892, a most prosperous year, was followed in the fall of 1893 by an industrial depression which continued for a number of years. As a consequence Polish immigration was practically suspended during the years of depression.

The total number of unskilled laborers arriving in the United States during the year ending June 30, 1906, was 598,731, of which number 432,152 were Italians, Slavs, and Hungarians. These laborers were distributed from the ports of entry to all parts of the United States. The remarkable fact in this distribution was that 78.59 per cent of the total number, or 470,534, went direct from the steamships to the States of Massachusetts, Connecticut, New Jersey, New York, Pennsylvania, Ohio, and Illinois.

It is notable that in 1900 there were living in the above-named States 1,380,462 foreign-born immigrants of the Italian, Slavic, and Hungarian races, or 73.2 per cent of the 1,885,896 persons of the same races in the United States, and six years later, in 1906, we find 640,474, or 86.55 per cent of the total immigrants of these races, going to the same seven States. The following table shows the number of immigrants of each race going to each of the seven States during the year ending June 30, 1906:

NUMBER OF ITALIAN, SLAVIC, AND HUNGARIAN IMMIGRANTS GOING TO MASSACHUSETTS, CONNECTICUT, NEW JERSEY, NEW YORK, PENNSYLVANIA, OHIO, AND ILLINOIS DURING THE YEAR ENDING JUNE 30, 1906.

[Compiled from Report of the Commissioner-General of Immigration for the year ended June 30, 1906, pages 23 to 26.]

Race.	Massachusetts.	Connecticut.	New Jersey.	New York.	Pennsylvania.	Ohio.	Illinois.	Total.
Bohemian and Moravian.....	61	101	211	1,997	1,062	1,420	3,720	8,572
Bulgarian, Servian, and Montenegrin	109	25	86	1,445	2,789	1,671	2,152	8,277
Croatian and Slavonian.....	39	124	377	3,380	19,341	4,098	5,835	33,194
Dalmatian, Bosnian, and Herzegovinian.....	3	54	195	1,256	336	129	1,188	3,161
Lithuanian.....	2,050	910	771	2,250	3,771	279	2,653	12,684
Polish.....	7,788	4,303	8,468	20,602	22,561	3,390	14,445	81,557
Roumanian.....	36	70	264	715	2,919	4,454	411	8,869
Russian.....	339	171	143	2,015	1,197	40	330	4,235
Ruthenian (Russniak).....	353	426	1,692	3,626	8,243	552	407	15,299
Slovak.....	202	918	3,397	5,338	18,591	3,035	3,273	34,754
Total.....	10,980	7,102	15,604	42,624	80,810	19,068	34,414	210,602
Hebrew.....	9,052	2,699	5,132	95,261	16,685	3,441	7,913	140,183
Total Slavic.....	20,032	9,801	20,736	137,885	97,495	22,509	42,327	350,785
Magyar (Hungarian).....	75	1,738	6,632	9,905	13,222	6,130	2,227	39,929
Total Slavic and Hungarian...	20,107	11,539	27,368	147,790	110,717	28,639	44,554	390,714
Italian, north.....	2,714	2,299	1,683	12,984	7,010	616	4,293	31,599
Italian, south.....	15,375	7,845	14,516	117,119	47,395	6,102	9,809	218,161
Total Italian.....	18,089	10,144	16,199	130,103	54,405	6,718	14,102	249,760
Grand total.....	38,196	21,683	43,567	277,893	165,122	35,357	58,656	640,474

The following table shows the number of Italian and of Slavic and Hungarian immigrants going to the seven specified States in 1906:

ITALIAN, SLAVIC AND HUNGARIAN, AND TOTAL IMMIGRANTS OF ALL RACES GOING TO MASSACHUSETTS, CONNECTICUT, NEW JERSEY, NEW YORK, PENNSYLVANIA, OHIO, AND ILLINOIS, YEAR ENDING JUNE 30, 1906.

[Compiled from Report of the Commissioner-General of Immigration for the year ended June 30, 1906, pages 23 to 26.]

State.	Italians.	Slavs and Hungarians.	Total.	Total immigrants of all races.
Massachusetts.....	18,089	20,107	38,196	73,863
Connecticut.....	10,144	11,539	21,683	27,942
New Jersey.....	16,199	27,368	43,567	58,415
New York.....	130,103	147,790	277,893	374,708
Pennsylvania.....	54,405	110,717	165,122	198,681
Ohio.....	6,718	28,639	35,357	47,397
Illinois.....	14,102	44,554	58,656	86,539
Total.....	249,760	390,714	640,474	867,545

The following table shows the proportion of Italian, of Slavic and Hungarian, and of all other immigrants to the United States in 1906 who went to the seven specified States:

NUMBER AND PER CENT OF ITALIAN, OF SLAVIC AND HUNGARIAN, AND OF ALL OTHER IMMIGRANTS GOING TO THE SEVEN SPECIFIED STATES, YEAR ENDING JUNE 30, 1906.

Race group.	Immigrants to the United States.	Immigrants to seven specified States.	
		Number.	Per cent of immigrants to the United States.
Italian.....	286,814	249,760	87.08
Slavic and Hungarian.....	453,164	390,714	86.22
All other races.....	360,757	227,071	62.94
Total.....	1,100,735	867,545	78.82

The following table specifies, by occupations, the number of unskilled immigrants going to each of the seven States in 1906:

UNSKILLED IMMIGRANTS OF SPECIFIED OCCUPATIONS GOING TO EACH SPECIFIED STATE AND ADMITTED TO THE UNITED STATES, YEAR ENDING JUNE 30, 1906.

[Compiled from Report of the Commissioner-General of Immigration for the year ended June 30, 1906, pages 35 to 39.]

Occupation.	Massachusetts.	Connecticut.	New Jersey.	New York.	Pennsylvania.	Ohio.	Illinois.	Total, seven States.	Total, United States.
Farm laborers.....	10,217	6,276	13,657	54,043	67,802	16,452	21,735	190,182	239,125
Laborers.....	18,610	5,959	9,929	67,296	47,033	8,700	17,824	175,351	226,345
Farmers.....	790	262	475	3,190	1,982	534	1,426	8,659	15,288
Draymen.....	83	19	52	523	135	19	68	899	1,090
Fishermen.....	94	8	23	222	25	3	35	410	899
Servants.....	11,957	3,873	7,794	39,400	17,310	4,355	10,344	95,033	115,984
Total (a).....	41,751	16,397	31,930	164,674	134,287	30,063	51,432	470,534	598,731

a Not including persons described by the Bureau of Immigration as having "no occupation" and "composed almost entirely of women and children," representing "families."

That the movement of these immigrants to these particular States was not unintelligent or an evidence of a desire for or a shiftless drift toward slum concentration, but has proceeded on rational lines, is shown by the extraordinary industrial activity, progress, and wealth of these States over all others, and by the fact that in these States the demand for labor was greatest and the wage rates the highest in the United States.

With only 37 per cent of the population of the United States, these seven States in the census year 1900 produced 61 per cent of the manufactured and mining products of the United States. They employed 3,529,168 individuals in this production; or 59.85 per cent of the total wage-earners of the United States in those industries. The value of the agricultural products of the same States was nearly 25 per cent of the total of the United States, amounting to \$1,170,114,388 out of a total of \$4,717,069,973.

The following table shows the population, value of manufactured, mining, and agricultural products, and number of wage-earners engaged in manufacturing and mining in each of the specified States and in the United States in 1900:

POPULATION, VALUE OF MANUFACTURED, MINING, AND AGRICULTURAL PRODUCTS, AND WAGE-EARNERS ENGAGED IN MANUFACTURING AND MINING IN SEVEN SPECIFIED STATES AND IN THE UNITED STATES, 1900.

[Figures compiled from United States Census Reports.]

State.	Popula- tion.	Value of manufactured products.	Wage- earners engaged in manu- facturing.	Value of mining prod- ucts. (a)	Wage- earners engaged in min- ing. (a)	Value of agricultural products.
Massachusetts.....	2,805,346	\$1,035,198,989	497,448	\$4,671,855	4,242	\$42,298,274
Connecticut.....	908,420	352,824,106	176,694	1,425,959	1,497	28,276,948
New Jersey.....	1,883,669	611,748,933	241,582	6,605,402	5,645	43,657,529
New York.....	7,268,894	2,175,726,900	849,056	13,350,421	9,560	245,270,600
Pennsylvania.....	6,302,115	1,834,790,860	733,834	236,871,417	190,935	207,895,600
Ohio.....	4,157,545	832,438,113	345,869	57,186,922	37,173	257,065,826
Illinois.....	4,821,550	1,259,730,168	395,110	38,234,410	40,523	345,649,611
Total.....	28,147,539	8,102,458,069	3,239,593	358,346,386	289,575	1,170,114,388
Other States.....	47,847,036	4,907,578,445	2,074,946	438,480,031	292,153	3,546,955,585
United States (main- land).....	75,994,575	13,010,036,514	5,314,539	796,826,417	581,728	4,717,069,973

^a From Special Reports of the Bureau of the Census : Mines and Quarries, 1902.

That these States should have had 73.2 per cent of the total Italian, Slavic, and Hungarian immigrants in 1900, and in 1906 should have attracted 78.82 per cent of the immigrants of all races and 86.55 per cent of the Italian, Slavic, and Hungarian immigrants is not surprising in view of the industrial conditions in them.

Before the immigrant can realize any return from his labor in the form of American wages, he must incur the following expense or indebtedness, for even if one or all costs are prepaid for him by relative, friend, or other person, he eventually pays them all by deductions from his wages or otherwise.

- 1.—Cost of preparation at his home in Europe for the journey.
- 2.—Cost of transportation from his home to the European seaport.
- 3.—Cost of emigrant head tax to his Government.
- 4.—Cost of immigrant head tax to the United States Government.
- 5.—Cost of steamship transportation, European port to the United States.
- 6.—Cost of labor agency for securing employment at port of entry, if used.
- 7.—Cost of transportation, United States port of entry to place of employment.
- 8.—Cost of living from port of entry to place of destination.

Omitting 1, 2, 6, and 8 in the above items and including only steamship and railroad tickets (head taxes are included in steamship tickets), a conservative estimate of the aggregate cost to the 470,534 common laborers in 1906 who went to the seven specified States was \$19,053,324, and an estimate of similar expenditures for the 640,474 Italian, Slavic, and Hungarian immigrants to the seven States is \$25,862,317.^(a)

With the investment of this amount, together with that of the labor they came to expend, these laborers began their work in the United States as aids in its industrial development.

In the State of Pennsylvania in the census year 1900 there were 199,436 persons of the Slavic races, 47,393 Hungarians, and 66,655 Italians, a total of 313,484 for the three groups. Included in the Slavic group were 50,959 from Russia, mostly Hebrews, Russian Poles being tabulated separately. Of the total of 313,484 of the three races, 90,473, or 29 per cent, were living in Philadelphia and Pittsburg, the two great cities of the State, 63,580 in Philadelphia and 26,893 in Pittsburg, the remaining 71 per cent being distributed among the villages and towns of the State. Included in the total for Philadelphia were 28,951 Russians, principally Hebrews, who, unlike other nationalities included in the Slavic group, do not engage in the heavier manual labor occupations.

In 1906, 97,495 of the immigrant Slavic group (including 16,685 Hebrews), 13,222 Hungarians, and 54,405 Italians, a total of 165,122 for the three groups, went to the State of Pennsylvania, with proportionate numbers for the intervening years since 1900.

That this State should be the destination of such large numbers and that 71 per cent of them were distributed through the villages and towns outside of the two great cities of the State is explained by the State's industrial resources and conditions.

Pennsylvania ranks first in value of mining products, which in 1902 was \$236,871,417 out of a total of \$796,826,417 for all the States and Territories. In manufactured products Pennsylvania was second with a value of \$1,834,790,860 of a total of \$13,010,036,514 for all States and

^a In estimating the cost of steamship transportation \$36 was taken as the average steerage rate from European ports. The cost of railroad transportation was based on the railroad fare to a central point in each of the States specified.

Territories in 1900. In number of wageworkers in both mining and manufactured products Pennsylvania ranked first. In bituminous coal mining and coke production it ranks first, and in anthracite mining it stands alone. Its iron and steel industries rank next to mining.

The nationality of the anthracite mine workers was secured in detail for the year 1905 by the bureau of industrial statistics of the State of Pennsylvania.

In a total of 92,485 men employed by 116 companies out of a total of 140 the numbers were as follows:

NUMBER AND PER CENT OF EACH NATIONALITY WORKING FOR 116 ANTHRACITE COMPANIES OF PENNSYLVANIA IN 1905.

[Compiled from the Report of the Secretary of Internal Affairs of Pennsylvania for 1905: Part III, Industrial Statistics, pages 458 and 459.]

Nationality.	Number.	Per cent of total.	Nationality.	Number.	Per cent of total.
Slavic and Hungarian	36,049	39.0	English	2,497	2.7
Italian	3,975	4.3	Scotch	289	.3
American, mostly of Slavic and other foreign parentage.	25,905	28.0	German	4,033	4.4
Irish	6,351	6.8	Other nationalities	10,989	11.9
Welsh	2,397	2.6	Total	92,485	100.0

In the bituminous coal-mining region of Pennsylvania 398 companies employing 55,583 men reported nationality in full detail as follows:

NUMBER AND PER CENT OF EACH NATIONALITY WORKING FOR 398 BITUMINOUS COMPANIES OF PENNSYLVANIA IN 1905.

[Compiled from the Report of the Secretary of Internal Affairs of Pennsylvania for 1905: Part III, Industrial Statistics, page 475.]

Nationality.	Number.	Per cent of total.	Nationality.	Number.	Per cent of total.
Slavic and Hungarian	21,708	39.0	Scotch	1,189	2.1
Italian	6,824	12.3	Welsh	313	.6
American, mostly of Slavic and other foreign parentage.	17,347	31.2	German	1,721	3.1
English	2,751	5.0	Eleven other nationalities	2,999	5.4
Irish	731	1.3	Total	55,583	100.0

It will thus be seen that the Slavic, Hungarian, and Italian races are numerically predominant in both the anthracite and bituminous coal fields of Pennsylvania.

The Slavic races are also numerically strong in the iron and steel industries of Pennsylvania, while in the cotton, woolen, and textile industries their representation is small.

One hundred and one iron and steel plants, employing 42,004 men of a total of 113,295 employees in the entire industry, report in 1905 that 20.9 per cent of their employees were Slavs, Hungarians, and Italians.

Forty-two pig-iron plants, employing 8,665 men of a total of 16,747 in the entire industry, report that 6.4 per cent were Italians and 40.3 per cent were Slavs and Hungarians.

Combining the employees in the anthracite, bituminous, pig iron, and iron and steel industries of Pennsylvania for 1905, the figures indicate that 41 per cent of all employees were of the Italian, Slavic, and Hungarian races, the Italians being, however, but 6 per cent of the total. In the woolen, cotton, and textile industries of Pennsylvania the Italians, Slavs, and Hungarians numbered but 1,211 in a total of 36,815 employees in 1905, or only 3.3 per cent of all.

The thoroughness of Italian distribution in industrial occupations in another State is shown in a very complete manner.

The bureau of statistics of Massachusetts, in its thirty-fourth annual report, published in March, 1904, reported the result of an exhaustive inquiry into the subject of "Race in Industry" in that State. It was found that the 10,956 Italians in Massachusetts, of whom 92.33 per cent were males and 7.67 per cent females, were represented in each of the 13 classes of production in the State and in 89 subdivisions of these classes. Of these Italians 34.33 per cent were in 58 different manufacturing industries; 34.52 per cent in 3 classes of production as laborers; 13.73 per cent engaged in 5 subdivisions of trade; 7.58 per cent in personal service; 2.06 per cent in 9 subdivisions of the professions; 1.88 per cent in 2 branches of domestic service; 1.83 per cent in 3 branches of transportation; 1.82 per cent in mining; 0.34 per cent in 3 branches of governmental service; 0.31 per cent engaged in agriculture; 0.15 per cent in the fisheries; 0.44 per cent apprentices, and 1.01 per cent children at work.

DISTRIBUTION OF LABORERS BY THE EMPLOYMENT AND PADRONE AGENCIES OF NEW YORK CITY.

A law regulating the keeping of employment agencies in cities was enacted by the legislature of the State of New York on April 27, 1904, and amended April 27, 1906.

It provided that where fees are charged for procuring employment, such agencies are required to procure a license from the commissioner of licenses and to be under his supervision.

To conduct such an agency without a license subjects the offender to a fine or imprisonment or both. A bond is also required of each agency, and a laborer or other person who has been deceived by the employment agency or padrone, or from whom money has been extorted by such agency, may maintain an action upon the bond if a judgment of a court remains unsatisfied.

The law governing the agencies permits them to charge unskilled workers a fee of 10 per cent of the first month's wages, so that a

laborer earning \$40 the first month, under the law, may be required to pay to the agency \$4 fee. The agency fees are \$2 each as a rule, and in the case of some padrones no fee is charged, provided the employer gives the padrone the commissary privilege of selling food supplies and articles of clothing to the workmen at the labor camps or other places. If the workman refuses to accept the position to which he is sent, or does not obtain employment, the agency is required to refund the fee in full upon demand. When the licensed employment agency or padrone sends one or more persons to work as laborers outside of the city where the agency is located, the law requires such agency within five days thereafter to file with the commissioner of licenses a statement containing the name and address of the employer of such laborers, the name and address of the employee, the nature of the work to be performed, hours of labor, wages offered, destination of the persons employed, and terms of transportation.

A duplicate copy of this statement must be given to the laborer in a language which he is able to understand. After the passage of the law some of the employment agencies filed with the commissioner of licenses of the city of New York the statement required, but many of them did not. It was not until after the passage of the amended act in April, 1906, that the law on this point was enforced, and that the licensed agencies reported the number of persons shipped out of the city, with other details.

In August, 1906, 61 licensed agencies shipping laborers out of the city were reporting in detail to the license commissioner. As the license fee is \$25 per annum and the bond required is in the sum of \$1,000, there are persons who evade the law and who secretly engage in the business of sending out laborers without taking out the license. Quite often, too, such persons are swindlers, who take the fee and have no employment to furnish the laborers. It can be stated, however, that such agencies are of little importance and can send out comparatively few men without the knowledge of the bureau of licenses.

A complete year of the enforcement of the law will probably show shipments out of New York City by the licensed agencies of from 50,000 to 60,000 men.

Through the courtesy of the commissioner of licenses, the writer was given access to the individual statements of each shipment of each labor agency reporting up to the month of August, 1906.

The distribution of immigrants by the licensed New York labor agencies and by societies for the protection of immigrants of the various nationalities is, in a sense, a redistribution. At Ellis Island immigrants having tickets for and destined to the various States are so reported.

Immigrants having tickets for New York City and giving that as their destination are sent from Ellis Island and landed at Battery

Park, New York City. Immigrants destined to interior western points are not landed at New York City, but are sent from Ellis Island to the Jersey City railway depots and take trains from there. In the Immigration Bureau records, all immigrants with tickets to New York City only, and landed there, are tabulated and credited to New York.

The records of the labor employment and other agencies show that thousands of immigrants secure employment on the days of landing from the ship, and are immediately forwarded to various States. The law requires the address in New York City of the laborer sent out, but if the immigrant does not go to a lodging house, which happens in many instances, the only address that can be given is the steamship he left on the morning of his arrival. Many of the immigrants, however, go to lodging houses and after a few days or a week are shipped out of the city.

The reports of the employment agencies include still other immigrants who have been for months in the United States and return to the agencies for new employment when the work they have been on is completed. A small portion of the number shipped, who secure employment through those agencies, are laborers born in the United States.

The agencies before making any shipments receive orders from employers. They send blank forms to railway companies, contractors, coal-mining companies, factories, etc. On this form the employer "as party of the first part authorizes" the agency specified to hire for his use a specified number of laborers. The form states the nationality preferred, the nature of work to be performed, the destination, wages to be paid, hours of labor, cost of board and lodging, the fee to the agency for each man, the terms of transportation, the amount that will be allowed for supplying provisions by the agency during travel, and whether the fares, fees, and other expenses are to be deducted from wages. The employer also is required to state if there is a strike where the labor is wanted.

The employer agrees to pay to the agency for its services a specified amount of money for each man, payable in New York City. The agency, as party of the second part, agrees to hire the laborers requested under the conditions and terms named, informing them if there is a strike. Usually a representative of either the employer or the agency accompanies the laborers to the place of destination.

The number of laborers taken from the individual records of the licensed employment agencies as having been shipped out of New York City was 40,737. From those records tables have been made. The summaries show that of the total 40,737 persons shipped, 17,105, or 41.99 per cent, were Italians and 5,164, or 12.68 per cent, were Slavs and Hungarians. Thus the three races constituted a total of

22,269, or 54.67 per cent of the total persons shipped, the remaining 18,468, or 45.33 per cent, being of eight or ten miscellaneous nationalities, including some Italians, Slavs, and Hungarians, not separable.

They were sent to 14 Northern States (including West Virginia) and 12 Southern States; 14,124 Italians being sent to the Northern States, and 2,981 Italians to Southern States; 2,476 Slavs and Hungarians sent to the Northern States, and 2,688 to the Southern States; 5,593 of other nationalities sent to the Northern States, and 12,875 to the Southern States.

The following table shows the distribution by States:

DISTRIBUTION OF LABOR REPORTED BY NEW YORK EMPLOYMENT AGENCIES
MAY 1, 1904, TO JULY 31, 1906. (a)

State.	Ital-ians.	Slavs and Hunga-rians.	Other nation-alities.	Total of all nationalities.			Per cent of each na-tionality in each State of total of same nationality in North-ern and in South-ern States.		
				Num-ber.	Per cent of total in North-ern and in South-ern States.	Per cent of total in North-ern and South-ern States com-bined.	Ital-ians.	Slavs and Hunga-rians.	Other nation-alities.
NORTHERN.									
New York.....	8,371	237	1,988	10,596	47.74	26.01	59.27	9.57	35.54
Pennsylvania.....	1,494	418	1,980	3,892	17.54	9.55	10.58	16.88	35.40
West Virginia.....	725	1,224	773	2,722	12.26	6.68	5.13	49.44	13.82
New Jersey.....	1,494	182	341	2,017	9.09	4.95	10.58	7.35	6.10
Connecticut.....	1,064	73	105	1,242	5.60	3.05	7.53	2.95	1.88
Vermont.....	420	61	160	641	2.89	1.57	2.97	2.46	2.86
Massachusetts.....	175	213	144	532	2.40	1.31	1.24	8.60	2.57
Maine.....	213	.....	.....	213	.96	.52	1.51	.....	.....
Ohio.....	118	50	44	212	.95	.52	.84	2.02	.79
New Hampshire.....	21	.....	39	60	.27	.15	.15	.....	.70
Rhode Island.....	29	.....	.....	29	.13	.07	.20	.....	.....
Wisconsin.....	.....	.....	19	19	.09	.05	.....	.....	.34
Indiana.....	.....	12	.....	12	.05	.03	.....	.49	.....
Nebraska.....	.....	6	.....	6	.03	.02	.....	.24	.....
Total Northern.....	14,124	2,476	5,593	22,193	100.00	54.48	100.00	100.00	100.00
SOUTHERN.									
Florida.....	271	111	5,003	5,385	29.04	13.22	9.09	4.13	38.86
Virginia.....	1,034	516	2,268	3,818	20.59	9.37	34.68	19.19	17.62
North Carolina.....	459	593	2,427	3,479	18.76	8.54	15.40	22.06	18.85
Alabama.....	273	1,294	834	2,401	12.95	5.89	9.16	48.14	6.48
Tennessee.....	299	44	665	1,008	5.43	2.47	10.03	1.64	5.16
Georgia.....	219	101	583	903	4.87	2.22	7.35	3.76	4.53
Maryland.....	65	.....	516	581	3.13	1.43	2.18	.....	4.01
South Carolina.....	56	29	330	415	2.24	1.02	1.88	1.08	2.56
Mississippi.....	105	.....	102	207	1.12	.51	3.52	.....	.79
Kentucky.....	26	.....	147	173	.93	.43	.87	.....	1.14
District of Columbia.....	95	.....	.....	95	.51	.23	3.19	.....	.....
Louisiana.....	79	.....	.....	79	.43	.19	2.65	.....	.....
Total Southern.....	2,981	2,688	12,875	18,544	100.00	45.52	100.00	100.00	100.00
Grand total.....	17,105	5,164	18,468	40,737	.....	100.00	.....	.....	.....

a After the law went into effect (May 1, 1904) but few agencies filed the required statements of laborers sent out. It was not until after the passage of the amended law in April, 1906, that this requirement was fully enforced. For the three months from May 1 to July 31, 1906, 9,378 men were reported as sent out by the agencies.

The distribution of the entire 40,737 was to 643 cities, towns, and villages. In the group of Northern States 1,418 persons went to 20 cities of 50,000 population or over, while 20,775 persons went to 468

towns and villages of less than 50,000 population. In the group of Southern States 1,799 persons went to 8 cities of 50,000 population or over, while 16,745 persons went to 147 towns and villages of less than 50,000 population.

The following table shows the distribution by States and to cities of 50,000 population or over, and to towns and villages of less than 50,000 population:

DISTRIBUTION OF LABOR BY NEW YORK EMPLOYMENT AGENCIES TO CITIES OF 50,000 POPULATION OR OVER AND TO TOWNS AND VILLAGES OF LESS THAN 50,000 POPULATION, IN NORTHERN AND SOUTHERN GROUPS OF STATES.

State.	Cities of 50,000 pop- ulation or over.		Towns and villages of less than 50,000 population.		Total cities, towns, and villages.	
	Number of per- sons dis- tributed.	Number of cities to which persons were sent.	Number of per- sons dis- tributed.	Number of places to which persons were sent.	Number of per- sons dis- tributed.	Number of places to which persons were sent.
NORTHERN.						
New York.....	977	7	9,619	232	10,596	239
Pennsylvania.....	71	3	3,821	58	3,892	61
West Virginia.....			2,722	43	2,722	43
New Jersey.....	74	2	1,943	67	2,017	69
Connecticut.....	225	3	1,017	32	1,242	35
Vermont.....			641	10	641	10
Massachusetts.....	45	3	487	10	532	13
Maine.....			213	7	213	7
Ohio.....	20	1	192	4	212	5
New Hampshire.....			60	1	60	1
Rhode Island.....			29	2	29	2
Wisconsin.....			19	1	19	1
Indiana.....			12	1	12	1
Nebraska.....	6	1			6	1
Total Northern	1,418	20	20,775	468	22,193	488
SOUTHERN.						
Florida.....			5,385	20	5,385	20
Virginia.....	76	1	3,742	38	3,818	39
North Carolina.....			3,479	10	3,479	10
Alabama.....	970	1	1,431	27	2,401	28
Tennessee.....	14	1	994	9	1,008	10
Georgia.....	62	1	841	18	903	19
Maryland.....	506	1	75	3	581	4
South Carolina.....	3	1	412	11	415	12
Mississippi.....			207	6	207	6
Kentucky.....			173	4	173	4
District of Columbia.....	95	1			95	1
Louisiana.....	73	1	6	1	79	2
Total Southern	1,799	8	16,745	147	18,544	155
Grand total.....	3,217	28	37,520	615	40,737	643

The more detailed distribution of Italians, of Slavs and Hungarians, and of other nationalities was as follows:

DISTRIBUTION OF ITALIANS, OF SLAVS AND HUNGARIANS, AND OF LABORERS OF OTHER NATIONALITIES, BY NEW YORK EMPLOYMENT AGENCIES, TO TOWNS AND CITIES OF NORTHERN AND OF SOUTHERN GROUPS OF STATES.

State.	Italians.		Slavs and Hungarians.		Other nationalities. ^(a)	
	Number distributed.	Number of towns and cities to which sent.	Number distributed.	Number of towns and cities to which sent.	Number distributed.	Number of towns and cities to which sent.
NORTHERN.						
New York.....	8,371	216	237	14	1,988	39
Pennsylvania.....	1,494	36	418	14	1,980	18
West Virginia.....	725	19	1,224	23	773	22
New Jersey.....	1,494	62	182	7	341	22
Connecticut.....	1,064	31	73	4	105	5
Vermont.....	420	7	61	3	160	2
Massachusetts.....	175	13	213	4	144	4
Maine.....	213	7				
Ohio.....	118	2	50	2	44	2
New Hampshire.....	21	1			39	1
Rhode Island.....	29	2				
Wisconsin.....					19	1
Indiana.....			12	1		
Nebraska.....			6	1		
Total Northern.....	14,124	396	2,476	73	5,593	116
SOUTHERN.						
Florida.....	271	11	111	5	5,003	8
Virginia.....	1,034	21	516	7	2,268	31
North Carolina.....	459	3	593	7	2,427	10
Alabama.....	273	8	1,294	17	834	17
Tennessee.....	299	5	44	1	665	7
Georgia.....	219	10	101	4	583	9
Maryland.....	65	2			516	2
South Carolina.....	56	3	29	2	330	8
Mississippi.....	105	4			102	4
Kentucky.....	26	1			147	3
District of Columbia.....	95	1				
Louisiana.....	79	2				
Total Southern.....	2,981	71	2,688	43	12,875	99
Grand total.....	17,105	467	5,164	116	18,468	215

^a Including many Italians and Slavs, combined with other races, native and foreign born, not separable.

OCCUPATIONS.

Of the total 40,737 persons of all nationalities sent to the various sections by the New York City labor employment agencies not more than 10 per cent could be classed as skilled. Classifying skilled and unskilled, it was found that in the Northern States the Italians engaged in 51 different occupations and in the Southern States in 24 different occupations. The Slavs and Hungarians in the Northern States engaged in 18 different occupations and in the Southern States in 14 different occupations. The "miscellaneous nationalities" in the Northern States engaged in 35 different occupations and in the Southern States in 26 different occupations.

The following table shows occupations in detail and number in each:

NUMBER AND PER CENT OF ITALIANS, SLAVS AND HUNGARIANS, AND OTHER NATIONALITIES IN EACH OCCUPATION SENT BY THE NEW YORK EMPLOYMENT AGENCIES TO THE NORTHERN AND TO THE SOUTHERN GROUPS OF STATES.

Occupation.	Italians.		Slavs and Hungarians.		Other nationalities.		Total of all nationalities.	Per cent of each nationality in each occupation.		
	Num-ber.	Per cent in each occu- pa- tion.	Num-ber.	Per cent in each occu- pa- tion.	Num-ber.	Per cent in each occu- pa- tion.		Ital-ians.	Slavs and Hun- ga- rians.	Other na- tion- al-ities.
NORTHERN STATES.										
Railroad construction and re- pairs, laborers.....	8,121	57.50	322	13.00	2,252	40.27	10,695	75.93	3.01	21.06
Coal mine workers.....	146	1.03	1,174	47.42	489	8.74	1,809	8.07	64.90	27.03
Street grading, laborers.....	1,680	11.89					1,680	100.00		
Laborers, general, not speci- fied.....	744	5.27	242	9.78	582	10.41	1,568	47.45	15.43	37.12
Ditching, laborers.....	687	4.86	21	.85	233	4.17	941	73.01	2.23	24.76
Ice cutting and storing, labor- ers.....	55	.39	81	3.27	653	11.68	789	6.97	10.27	82.76
Grading, laborers.....	349	2.47			41	.73	390	89.49		10.51
Excavating, laborers.....	301	2.13	42	1.70	34	.61	377	79.84	11.14	9.02
Concrete and cement, laborers..	236	1.67	54	2.18	69	1.23	359	65.74	15.04	19.22
Quarrymen.....	217	1.54	27	1.09	104	1.86	348	62.36	7.76	29.88
Coke oven workers.....			212	8.56	83	1.48	295		71.86	28.14
Dam and waterworks con- struction, laborers.....	123	.87	136	5.49	17	.30	276	44.57	49.28	6.15
Iron ore mine workers.....	5	.04	49	1.98	198	3.54	252	1.98	19.44	78.58
Sewer construction, laborers..	216	1.53					216	100.00		
Public road, laborers.....	149	1.06					149	100.00		
Other occupations.....	a1,095	7.75	b116	4.68	c838	14.98	2,049	53.44	5.66	40.90
Total, Northern States..	14,124	100.00	2,476	100.00	5,593	100.00	22,193	63.64	11.16	25.20
SOUTHERN STATES.										
Railroad construction and re- pairs, laborers.....	1,536	51.53	790	29.39	10,181	79.07	12,507	12.28	6.32	81.40
Coal mine workers.....	29	.97	1,086	40.40	536	4.16	1,651	1.76	65.78	32.46
Lumber and sawmill hands....	183	6.14	227	8.44	425	3.30	835	21.92	27.18	50.90
Laborers, general, not speci- fied.....	316	10.60	184	6.85	235	1.83	735	42.99	25.04	31.97
Copper mine workers.....	225	7.55			211	1.64	436	51.61		48.39
Quarrymen.....	170	5.70	28	1.04	85	.66	283	60.07	9.89	30.04
Cotton pickers.....	147	4.93			66	.51	213	69.01		30.99
Iron ore mine workers.....	45	1.51	109	4.06	6	.05	160	28.12	68.13	3.75
Coke oven workers.....			148	5.51			148		100.00	
Cotton mill hands.....	13	.44			111	.86	124	10.48		89.52
Dam and waterworks con- struction, laborers.....					114	.89	114			100.00
Turpentine workers.....			29	1.08	82	.64	111		26.13	73.87
Phosphate mine workers.....	29	.97	10	.37	33	.26	72	40.28	13.89	45.83
Ditching, laborers.....	18	.60					18	100.00		
Other occupations.....	d270	9.06	e77	2.86	f790	6.13	1,137	23.75	6.77	69.48
Total, Southern States..	2,981	100.00	2,688	100.00	12,875	100.00	18,544	16.08	14.49	69.43

a Included in other occupations are: Brick masons, 124; sulphur ore mine workers, 100; fruit farm hands, 94; coal heavers, 89; brick machine tenders, 81; stone crusher laborers, 69; carpenters, 68; farm hands, 57; carloaders, stone, 50; wood choppers, 50; canal construction laborers, 48; stone masons 33; plasterers, 29; factory workers, 20; kiln setters, brick, 18; helpers, boiler makers, 17; telephone construction laborers, 15; hat sizers, 15; lumber pilers, 15; park cleaners, 14; boiler makers, 12; silk weavers, 11; stone cutters, 9; tile workers, 8; garbage dumpers, 8; blacksmiths, 7; riveters, iron and steel, 6; helpers, blacksmith, 5; fence builders, 4; kiln burners, brick, 4; helpers, carpenter, 4; wood workers, 3; piano factory laborers, 2; piano factory mechanics, 2; messengers, 2; bookkeeper, 1; gar-dener, 1.

b Included in other occupations are: Laborers, brick, 74; farm hands, 10; brick machine tenders, 10; park cleaners, 10; furnace hands, 6; factory workers, 3; sulphur ore mine workers, 3.

c Included in other occupations are: Kiln burners, brick, 160; vessel loaders, 120; car loaders, 101; stone crusher laborers, 71; laborers, brick, 67; telephone construction laborers, 51; park cleaners, 37; brick machine tenders, 35; cattle feeders, 33; garbage dumpers, 22; furnace men, 16; boiler makers, 15; ax grinders, 13; offbearers, brick, 13; truckmen, warehouse, 13; carpenters, 11; public road laborers, 11; core makers, 10; fish factory workers, 10; brick masons, 9; cotton mill hands, 9; machinists, 8; kiln setters, 3.

d Included in other occupations are: Sewer construction laborers, 65; fertilizer workers, 62; steve-dores, 56; sugar cane cutters, 37; tannery hands, 20; excavating laborers, 8; blacksmiths, 5; carpenters, 4; machinists, 4; marble carvers, 3; box factory hands, 2; farm hands, 2; marble cutters, 2.

e Included in other occupations are: Wood choppers, 49; box makers, 9; carpenters, 9; farm hands, 5; tannery hands, 5.

f Included in other occupations are: Oyster dredgers, 464; laborers, brick, 60; concrete and cement laborers, 50; fertilizer workers, 45; teamsters, 37; oyster shuckers, 36; farm hands, 23; factory workers, 21; furniture factory hands, 18; lathe hands, 11; wood choppers, 11; carpenters, 9; molders, 3; black-smiths, 2.

NUMBER AND PER CENT OF ITALIANS, SLAVS AND HUNGARIANS, AND OTHER NATIONALITIES IN EACH OCCUPATION SENT BY THE NEW YORK EMPLOYMENT AGENCIES TO THE NORTHERN AND TO THE SOUTHERN GROUPS OF STATES—
Concluded.

Occupation.	Italians.		Slavs and Hungarians.		Other nationalities.		Total of all nationalities.	Per cent of each nationality in each occupation.		
	Number.	Per cent in each occupation.	Number.	Per cent in each occupation.	Number.	Per cent in each occupation.		Italians.	Slavs and Hungarians.	Other nationalities.
NORTHERN AND SOUTHERN STATES COMBINED.										
Railroad construction and repairs, laborers	9,657	56.46	1,112	21.53	12,433	67.32	23,202	41.62	4.79	53.59
Coal mine workers.....	175	1.02	2,260	43.76	1,025	5.55	3,460	5.06	65.32	29.62
Laborers, general, not specified.....	1,060	6.20	426	8.25	817	4.42	2,303	46.03	18.50	35.47
Street grading, laborers.....	1,680	9.82	.....	.....	.....	.....	1,680	100.00	.....	.....
Ditching, laborers.....	705	4.12	21	.41	233	1.26	959	73.51	2.19	24.30
Lumber and sawmill hands ...	183	1.07	227	4.40	425	2.30	835	21.92	27.19	50.89
Ice cutting and storing, laborers.....	55	.32	81	1.57	653	3.54	789	6.97	10.27	82.76
Quarrymen.....	387	2.26	55	1.07	189	1.02	631	61.33	8.72	29.95
Coke oven workers.....	.....	.....	360	6.97	83	.45	443	.....	81.26	18.74
Copper mine workers.....	225	1.32	.....	.....	211	1.14	436	51.61	.....	48.39
Iron ore mine workers.....	50	.29	158	3.06	204	1.10	412	12.14	38.35	49.51
Dam and waterworks construction, laborers.....	123	.72	136	2.63	131	.71	390	31.54	34.87	33.59
Grading, laborers	349	2.04	.....	.....	41	.22	390	89.49	.....	10.51
Excavating, laborers.....	301	1.76	42	.81	34	.19	377	79.84	11.14	9.02
Concrete and cement, laborers.	236	1.38	54	1.05	69	.37	359	65.74	15.04	19.22
Sewer construction, laborers ..	216	1.26	.....	.....	.....	.....	216	100.00	.....	.....
Cotton pickers.....	147	.86	.....	.....	66	.36	213	69.01	.....	30.99
Public road, laborers.....	149	.87	.....	.....	.....	.....	149	100.00	.....	.....
Cotton mill hands.....	13	.08	.....	.....	111	.60	124	10.48	.....	89.52
Turpentine workers.....	.....	.....	29	.56	82	.45	111	.....	26.13	73.87
Phosphate mine workers.....	29	.17	10	.19	33	.18	72	40.28	13.89	45.83
Other occupations.....	1,365	7.98	193	3.74	1,628	8.82	3,186	42.84	6.06	51.10
Grand total.....	17,105	100.00	5,164	100.00	18,468	100.00	40,737	41.99	12.68	45.33

In considering some of the principal occupations in this summary and the preferences of the races, it is interesting to note that the Italians in the northern group of States constituted 75.93 per cent of those who secured employment in railroad construction through the New York employment agencies, and but 12.28 per cent of those who similarly secured employment in the same occupation in the southern group of States. In the southern group of States the Italians as cotton pickers constituted 69.01 per cent of the workers in that occupation, who were sent out by the New York employment agencies; as phosphate mining hands they were 40.28 per cent; and as cotton mill hands, 10.48 per cent. In the northern group of States they had a monopoly of street grading, the total of 1,680 so employed being Italians; as grading laborers other than railroad or street they constituted 89.49 per cent of the total; in excavating, 79.84 per cent, and in concrete and cement work, 65.74 per cent. In both the northern and the southern groups of States, as laborers in ditching, the Italians constituted 73.51 per cent; as coal mine workers, 5.06 per cent, and as quarrymen, 61.33 per cent.

The Slavs and Hungarians were 64.90 per cent of those placed as coal mine workers in the Northern and 65.78 per cent of those placed

as coal mine workers in the Southern States. The Slavs and Hungarians were 71.86 per cent of the coke oven workers placed in the Northern and 100 per cent of the same workers placed in the Southern States. They were 19.44 per cent of the iron ore mine workers placed in the Northern and 68.13 per cent of the same class of workers placed in the Southern States.

Of the other nationalities, persons of miscellaneous races, native and foreign, 10,181 went to the Southern States, on railroad construction, or 81.40 per cent of all placed in that occupation in the South. The Italians as a rule refuse to accept railroad work in the South, owing partly to the long-distance charges for transportation to be deducted from their wages after going to work. Conditions as to wages and treatment also are not so satisfactory to them as in the Northern States.

It is well to direct attention to the fact that while the employer advances all of the expenses of employment agency fees, subsistence, and transportation charges, all such expenditures are deducted in installments from the wages of the laborers. In some instances the employer promises in the contract sent to the agency to refund to the workman the transportation charges if the latter remains at work 3, 6, 9, or 12 months; but it is said that such refunds are rare.

In the cases of laborers employed on some of the great railway systems running out of New York, the men are carried free to the points where they are put to work. In the total of 40,737 sent out by agencies, 6,878 laborers received free transportation on such roads, and the greater number of these men were supplied by padrone agencies, which charged no fees to the companies, but which had the commissary privileges on the various railroads—that is, the privilege to sell food and other supplies to the laborers.

The transportation charges and fees paid by 33,859 men, by deductions from their wages, amounted to \$388,483.

Some of the larger amounts expended on these two items, with number of men sent to 8 different States, are shown as follows:

AMOUNT OF FEES AND FARES BY DEDUCTION FROM WAGES OF MEN SENT BY NEW YORK EMPLOYMENT AGENCIES TO 8 STATES.

Destination.	Number of men.	Amount of fees and fares paid.	
		Total.	Average.
Alabama.....	2,401	\$40,272	\$16.77
Florida.....	5,182	72,029	13.90
Georgia.....	901	12,406	13.77
North Carolina.....	3,479	48,427	13.92
Pennsylvania.....	2,525	15,528	6.15
Tennessee.....	1,008	18,043	17.90
Virginia.....	3,761	52,277	13.63
West Virginia.....	2,648	38,131	14.40

DISTRIBUTION OF LABORERS BY BENEVOLENT SOCIETIES OF FOREIGN NATIONALITIES FOR THE PROTECTION OF IMMIGRANTS.

Distinct from the purely benevolent organizations which care for the immigrants on arrival at Ellis Island and New York, giving them needed advice and assistance, are others whose purpose it is to procure employment for them.

The most prominent organization of this kind is the Labor Information Office for Italians, which was incorporated in March, 1906. Its purposes were briefly set forth in a letter sent to employers of labor throughout the country, as follows:

I beg to inform you that a labor information office for Italians has been established in this city by an association composed of prominent American citizens, incorporated under the laws of the State of New York, for the purpose of better distributing Italian immigrant labor and preventing the abuses of the padrone system. In sending you notice of this institution, which aims solely to act as a disinterested intermediary between applicants for employment and applicants for help, without making any charge to either the one or to the other, we invite you to let us know the number of men you may require and the conditions relating to the work for which the men are required.

Its third article of incorporation states:

The said corporation shall be strictly nonsectarian and nonpolitical, nor shall it take part in the breaking of a strike or the promotion of a strike.

During the first seven months of its existence—from April to October, 1906—employers of labor made application to the labor information office for 37,058 men. The requests were made from as far west as California and as far south as Florida. Of this number, 32,749 were wanted for railroad construction and mining; 3,195 for factories and mills; 525 for farms; 518 as masons, blacksmiths, and carpenters; 50 for domestic service, and 21 as clerks.

The supply fell far short of the demand, the association distributing in the seven months from April to October, 1906, 3,705 Italians. For railroad construction and mining it sent out 1,464 men; to mills and factories, 1,572 men; as farm laborers, 296 men; for domestic service, 146 men; as masons, blacksmiths, and carpenters, 227 men. The number of these sent to the different States were as follows: Florida, 33; South Carolina, 81; North Carolina, 96; Tennessee, 151; Virginia, 344; New York State, outside of New York City, 1,009; New York City, 774; Connecticut, 555; New Jersey, 309; Pennsylvania, 289; Massachusetts, 13; Alaska, 51.

The Immigrants' Home and Free Employment Office of the Hungarian Relief Society combines the care and relief of arriving Hungarian immigrants with securing employment for some of them, though the latter is a minor feature of its work. For the year ending Novem-

ber, 1906, it secured employment for and sent out of the city 1,407 Hungarians. Of these, 237 men went to coal mines, 288 to factories, 270 to brickyards and railroads, 300 were sent out as porters and domestic servants, and 312 were sent out as farm laborers. West Virginia, Virginia, Pennsylvania, Ohio, New York, Connecticut, and New Jersey were the States to which the men were sent. The society makes no charge for its services.

The Austrian Society of New York, in 1906, established an immigrant home and free employment office. It furnished free meals and beds, and rendered other assistance during the six months ending October 31, 1906, to several thousand arriving Austrian immigrants. It secured employment for 514 persons, principally at common labor, and distributed them outside of New York City.

At St. Joseph's Home, the Polish Immigrant Society of New York City, during the year ending December 31, 1906, there were registered and cared for, after landing in New York City from Ellis Island, a total of 13,250 Poles and Lithuanians, of which number 2,150 were girls and women. As in the case of the redistribution by other societies, in the official statistical presentations, New York is credited as being the destination of these immigrants. As a matter of fact only 1,887, or 14 per cent, remained in New York City. For 2,775 persons employment was found, principally on the truck farms of New Jersey and Long Island. After being cared for for some days, 8,588 persons during the year went to various occupations in the Central and Western States. Of the total number, 90 per cent were Poles from Russian Poland, and 95 per cent of the girls and women were from Galicia, in Austria Poland.

There are a number of immigrant societies of other nationalities in New York City looking after the welfare of immigrants which do not engage in the business of securing employment excepting that of domestic service in the city, but these do not come within the scope of this report.

THE DEMAND FOR LABOR.

The demand for laborers of all kinds in all lines of industry greatly exceeded the supply during the year 1906.

One of the great lines of railroad reported an increase in its construction and track gangs of 41 per cent in 1906 over 1905, and states that it could have employed 53 per cent more men if it could have obtained them. The men employed were all Italian immigrants.

Another large railway system reported an increase of 44 per cent in this class of workers in 1906 over 1905, and could have employed 56 per cent more. The increase of one company was 24 per cent in this class of common labor, and another company employing a total number of employees of all kinds of 115,439 in 1905, increased them

to 122,737 in 1906, and there was a continued shortage. An iron and steel company with a total of 147,343 employees in 1904 increased it to 180,158 employees in 1905 and to 217,109 in 1906. Also contractors of railroad, tunnel, and building construction all reported a scarcity of labor and a consequent increase in rates of wages for common as well as skilled labor.

A personal examination of the books of record of another agency, covering a period of eight months—from April 1 to November 30, 1906—showed that 165 employers in the States of New York, New Jersey, Connecticut, Pennsylvania, and Virginia made application for 8,668 Italian laborers from this one agency. The agency supplied fewer than 1,500.

Another agency, where no fees were charged, had applications in seven months for 37,058, and could supply but 3,705 newly arrived Italian immigrants. One effect of the scarcity is reported by an Italian agency as follows:

Since about July, 1906, on account of the great scarcity, employers pay from \$3 to \$5 per man for common laborers. Not for twenty-two years have there been such high fees offered. Since the demand set in the laborer pays no fees.

Another agency reports sending out since last spring 2,500 Italian immigrant laborers, and had orders for nearly 8,000 men. One of the most successful agencies supplied 8,000 men in 1906, and could have used 4,000 more. These applications may of course have included numerous duplicates.

Conditions are perhaps best summed up in this extract from a letter received from the president of one of the largest railroads:

Our work was delayed in both years—1905 and 1906—by the inability to get workmen. This is true not only of railroads but of the industries along our line. Our patrons were constantly giving as the excuse for not promptly unloading cars that they are unable to get the laborers to do the work. There was not only a scarcity of common laborers in the country, but we found it impossible, under existing conditions, to get an adequate number of workmen for our shops.

RATES OF WAGES.

Of the 40,737 persons sent to various employments in the States named by the New York City labor employment and padrone agencies, 36,176, or nearly 90 per cent, were unskilled laborers. Of these 45.1 per cent, or 16,328, were Italians; 8.6 per cent, or 3,099, were Slavs and Hungarians, and 46.3 per cent, or 16,749, were of other nationalities.

Objection to paying long-distance railway fares, the demand for their services in the North, and a seeming disinclination to work in the South, except in some cases for northern contractors building rail-

roads in the South, kept the majority of the Italian laborers in the Northern States. To this may be added the desire of the Italian padrone agency to keep the men where it can again distribute them to its own advantage and furnish the commissary after the temporary employments cease.

The average rate of wages per day for the 36,176 unskilled laborers, sent to the Northern and Southern States combined, was as follows:

16,328 Italians.....	\$1. 46
3,099 Slavs and Hungarians.....	1. 46
16,749 other nationalities.....	1. 41

Of the total number, 21,469 received \$1.50 per day or over and 14,707 received less than \$1.50 per day.

The reason the rate for "other nationalities" is lower than the other two groups is that over 5,000 of them went to Florida, where the wage rate was lowest, while but few of the other two groups went there.

Many of the rates of wages reported were for days of 8, 9, 10, 11, and 12 hours. In the following table the rates have been brought to an hourly basis for the total of 36,176 unskilled workers of all nationalities:

NUMBER OF UNSKILLED LABORERS SENT OUT BY NEW YORK EMPLOYMENT AGENCIES EARNING EACH RATE OF PAY PER HOUR.

Number of men.	Rate per hour.	Number of men.	Rate per hour.	Number of men.	Rate per hour.	Number of men.	Rate per hour.
46	\$0. 1042	1,788	\$0. 1300	90	\$0. 1550	10	\$0. 1740
68	. 1136	2,122	. 1350	1,022	. 1600	997	. 1750
223	. 1137	145	. 1363	4	. 1610	51	. 1780
14	. 1166	410	. 1364	13	. 1625	47	. 1800
133	. 1200	119	. 1367	329	. 1650	14	. 1850
82	. 1228	455	. 1375	87	. 1660	8	. 1875
6,645	. 1250	1,874	. 1400	54	. 1666	10	. 1900
26	. 1272	518	. 1450	9	. 1667	2	. 1945
39	. 1273	18,461	. 1500	21	. 1700	240	. 2000

The tables following give the rates of wages for each group of unskilled laborers and each nationality sent to the Northern and to the Southern States:

NUMBER AND PER CENT OF ITALIAN, SLAVIC AND HUNGARIAN, AND OTHER UNSKILLED LABORERS SENT OUT BY NEW YORK EMPLOYMENT AGENCIES, RECEIVING SPECIFIED RATES OF WAGES PER HOUR.

ITALIANS—NORTHERN STATES.

Wage group.	Laborers receiving each rate of wages.		Average rate of wages per day of 10 hours for each group.	Total laborers in each group.	
	Number.	Rate per hour.		Number.	Per cent.
Under \$0.130 per hour.....	{ 5 800 1,346	{ \$0.1200 .1250 .1300	{ \$1.25	805	5.93
\$0.130 or under \$0.150 per hour.....	{ 1,056 1,309 345	{ .1350 .1400 .1450	{ 1.36	4,056	29.87
\$0.150 per hour.....	{ 7,675 72 329	{ .1500 .1550 .1600	{ 1.50	7,675	56.53
\$0.155 or under \$0.175 per hour.....	{ 4 143 87 4	{ .1610 .1650 .1660 .1700	{ 1.61	639	4.71
\$0.175 or over per hour.....	{ 327 51 14 8 2	{ .1750 .1780 .1850 .1875 .1945	{ 1.76	402	2.96
Total.....	13,577	.1455	1.46	13,577	100.00

ITALIANS—SOUTHERN STATES.

Under \$0.130 per hour.....	{ 68 14 14 164 26	{ \$0.1136 .1166 .1200 .1250 .1272	{ \$1.22	286	10.40
\$0.130 or under \$0.150 per hour.....	{ 145 124 36	{ .1363 .1375 .1400	{ 1.37	305	11.09
\$0.150 per hour.....	2,055	.1500	1.50	2,055	74.70
\$0.155 or under \$0.175 per hour.....	45	.1600	1.60	45	1.63
\$0.175 or over per hour.....	60	.1750	1.75	60	2.18
Total.....	2,751	.1464	1.46	2,751	100.00

ITALIANS—NORTHERN AND SOUTHERN STATES COMBINED.

Under \$0.130 per hour.....	{ 68 14 19 964 26	{ \$0.1136 .1166 .1200 .1250 .1272	{ \$1.24	1,091	6.68
\$0.130 or under \$0.150 per hour.....	{ 1,346 1,056 145 124 1,345 345	{ .1300 .1350 .1363 .1375 .1400 .1450	{ 1.36	4,361	26.71
\$0.150 per hour.....	{ 9,730 72 374	{ .1500 .1550 .1600	{ 1.50	9,730	59.59
\$0.155 or under \$0.175 per hour.....	{ 4 143 87 4	{ .1610 .1650 .1660 .1700	{ 1.62	684	4.19
\$0.175 or over per hour.....	{ 387 51 14 8 2	{ .1750 .1780 .1850 .1875 .1945	{ 1.76	462	2.83
Total.....	16,328	.1457	1.46	16,328	100.00

NUMBER AND PER CENT OF ITALIAN, SLAVIC AND HUNGARIAN, AND OTHER UNSKILLED LABORERS SENT OUT BY NEW YORK EMPLOYMENT AGENCIES, RECEIVING SPECIFIED RATES OF WAGES PER HOUR—Continued.

SLAVS AND HUNGARIANS—NORTHERN STATES.

Wage group.	Laborers receiving each rate of wages.		Average rate of wages per day of 10 hours for each group.	Total laborers in each group.	
	Number.	Rate per hour.		Number.	Per cent.
Under \$0.130 per hour.....	62	\$0.1250	\$1.25	62	4.77
\$0.130 or under \$0.150 per hour.....	22	.1300	1.37	191	14.69
	92	.1350			
	51	.1400			
\$0.150 per hour.....	26	.1450	1.50	721	55.46
	721	.1500			
\$0.155 or under \$0.175 per hour.....	10	.1550	1.63	72	5.54
	27	.1600			
	15	.1650			
	9	.1667			
\$0.175 or over per hour.....	11	.1700	1.78	254	19.54
	199	.1750			
	27	.1800			
	10	.1900			
	18	.2000			
Total.....	1,300	.1531	1.53	1,300	100.00

SLAVS AND HUNGARIANS—SOUTHERN STATES.

Under \$0.130 per hour.....	16	\$0.1042	\$1.21	349	19.40
	84	.1137			
	234	.1250			
\$0.130 or under \$0.150 per hour.....	15	.1273	1.34	582	32.35
	285	.1300			
	74	.1350			
	119	.1367			
\$0.150 per hour.....	36	.1375	1.50	551	30.63
	68	.1400			
\$0.155 or under \$0.175 per hour.....	551	.1500	1.60	262	14.56
	262	.1600	1.79	55	3.06
\$0.175 or over per hour.....	51	.1750			
	4	.2000			
Total.....	1,799	.1414	1.41	1,799	100.00

SLAVS AND HUNGARIANS—NORTHERN AND SOUTHERN STATES COMBINED.

Under \$0.130 per hour.....	16	\$0.1042	\$1.22	411	13.26
	84	.1137			
	296	.1250			
\$0.130 or under \$0.150 per hour.....	15	.1273	1.34	773	24.94
	307	.1300			
	166	.1350			
	119	.1367			
\$0.150 per hour.....	36	.1375	1.50	1,272	41.05
	119	.1400			
	26	.1450			
\$0.155 or under \$0.175 per hour.....	1,272	.1500	1.61	334	10.78
	10	.1550			
	289	.1600			
	15	.1650			
\$0.175 or over per hour.....	9	.1667	1.78	309	9.97
	11	.1700			
	250	.1750			
	27	.1800			
	10	.1900			
	22	.2000			
Total.....	3,099	.1463	1.46	3,099	100.00

NUMBER AND PER CENT OF ITALIAN, SLAVIC AND HUNGARIAN, AND OTHER UNSKILLED LABORERS SENT OUT BY NEW YORK EMPLOYMENT AGENCIES, RECEIVING SPECIFIED RATES OF WAGES PER HOUR—Concluded.

OTHER NATIONALITIES—NORTHERN STATES.

Wage group.	Laborers receiving each rate of wages.		Average rate of wages per day of 10 hours for each group.	Total laborers in each group.	
	Number.	Rate per hour.		Number.	Per cent.
Under \$0.130 per hour.....	261	\$0.1250	\$1.25	261	5.23
	39	.1300			
	883	.1350			
\$0.130 or under \$0.150 per hour.....	246	.1375	1.37	1,705	34.19
	390	.1400			
	147	.1450			
\$0.150 per hour.....	1,859	.1500	1.50	1,859	37.28
	8	.1550			
	359	.1600			
	13	.1625			
\$0.155 or under \$0.175 per hour.....	171	.1650	1.62	621	12.45
	54	.1666			
	6	.1700			
	10	.1740			
	309	.1750			
\$0.175 or over per hour.....	20	.1800	1.85	541	10.85
	212	.2000			
Total.....	4,987	.1497	1.50	4,987	100.00

OTHER NATIONALITIES—SOUTHERN STATES.

Under \$0.130 per hour.....	30	\$0.1042			
	139	.1137			
	114	.1200			
	82	.1228	\$1.24	5,513	46.87
	5,124	.1250			
	24	.1273			
	96	.1300			
	17	.1350			
\$0.130 or under \$0.150 per hour.....	410	.1364	1.36	592	5.03
	49	.1375			
	20	.1400			
\$0.150 per hour.....	5,600	.1500	1.50	5,600	47.61
	51	.1750			
\$0.175 or over per hour.....	6	.2000	1.78	57	.49
Total.....	11,762	.1375	1.37	11,762	100.00

OTHER NATIONALITIES—NORTHERN AND SOUTHERN STATES COMBINED.

Under \$0.130 per hour.....	30	\$0.1042			
	139	.1137			
	114	.1200			
	82	.1228	\$1.24	5,774	34.47
	5,385	.1250			
	24	.1273			
	135	.1300			
	900	.1350			
\$0.130 or under \$0.150 per hour.....	410	.1364	1.37	2,297	13.72
	295	.1375			
	410	.1400			
	147	.1450			
\$0.150 per hour.....	7,459	.1500	1.50	7,459	44.53
	8	.1550			
	359	.1600			
	13	.1625			
\$0.155 or under \$0.175 per hour.....	171	.1650	1.62	621	3.71
	54	.1666			
	6	.1700			
	10	.1740			
	360	.1750			
\$0.175 or over per hour.....	20	.1800	1.84	598	3.57
	218	.2000			
Total.....	16,749	.1411	1.41	16,749	100.00

It should be stated that the rates quoted cover 1905 and part of 1906, and, therefore, the advances in wage rates for laborers, especially in the North, on account of the demand that has taken place generally since that time, are not included in this presentation. In many cases there have been advances of 10 per cent or more.

In addition to the unskilled laborers there was a total of 2,568 men who worked in the mines, 2,381 as coal miners, 56 in iron ore mining, 5 at sulphur ore mining, 102 at copper mining, and 24 at phosphate mining.

All the miners were paid tonnage rates. Coke ovens employed 634 men at piece rates. As oyster dredgers in Chesapeake Bay 464 men worked for \$14 per month and board. They were of miscellaneous nationalities. In 19 skilled occupations 416 men were engaged at wages ranging from 20 cents to 52½ cents per hour, and 260 were employed in 6 miscellaneous occupations at piece rates.

The tables following show for each nationality the rates of wages paid in the various skilled occupations, to the men sent out by the New York City labor agencies, by States:

HOURS AND WAGES OF SKILLED EMPLOYEES, HELPERS, ETC., SENT BY NEW YORK EMPLOYMENT AGENCIES TO EACH STATE, BY NATIONALITY AND OCCUPATION.

ITALIANS—NORTHERN STATES.

State.	Occupation or industry.	Number of men.	Hours per day.	Rate per hour.
New York.....	Blacksmiths.....	1	10	\$0. 25
	Boiler makers.....	4	8	.34½
	Brick masons.....	4	10	.21
	Carpenters.....	8	10	.20
	Carpenters.....	16	10	.25
	Carpenters.....	5	10	.30
	Carpenters.....	4	10	.35
	Concrete and cement..	5	-----	Piecework.
	Hat sizing.....	15	-----	Piecework.
	Kiln setters.....	5	10	.20
	Kiln setters.....	2	12	.20⅝
	Kiln setters.....	1	9	.22⅓
	Kiln setters.....	5	8	.28⅓
	Kiln setters.....	5	10	.24
	Piano case factory....	2	10	.30
	Plasterers.....	11	8	.50
	Wood choppers.....	28	-----	Piecework.
Pennsylvania.....	Blacksmiths.....	5	10	.20
	Boiler makers.....	8	10	.22½
	Brick masons.....	93	10	.22½
	Carpenters.....	3	10	.20
	Carpenters.....	19	10	.22½
	Foremen, carpenters..	1	10	.35
	Stone cutters.....	2	10	.35
Maine.....	Stone cutters.....	2	10	.30
Massachusetts.....	Stone cutters.....	2	9	.3056
	Stone cutters.....	3	9	.33⅓
West Virginia.....	Sulphur-ore mining...	5	8	.28⅓
	Coal mine work.....	32	10	.22½
	Coal mining.....	55	-----	Ton rates.
New Jersey.....	Carpenters.....	12	10	.25
	Foremen, carpenters..	1	10	.40
	Helpers, carpenters...	2	10	.10
	Plasterers.....	2	10	.52½
	Tile workers.....	4	9	.44⅔
	Tile workers.....	1	9	.50
	Blacksmiths.....	1	10	.30
Connecticut.....	Brick masons.....	24	8	.50
	Brick masons.....	3	10	.36
	Stone masons.....	7	10	.25
	Stone masons.....	15	8	.50
	Plasterers.....	16	8	.50
	Plasterers.....	16	8	.50
Total.....	.....	439	-----	-----

HOURS AND WAGES OF SKILLED EMPLOYEES, HELPERS, ETC., SENT BY NEW YORK EMPLOYMENT AGENCIES TO EACH STATE, BY NATIONALITY AND OCCUPATION—
Concluded.

ITALIANS—SOUTHERN STATES.

State.	Occupation or industry.	Number of men.	Hours per day.	Rate per hour.
Tennessee.....	Blacksmiths.....	5	9	\$0.33½
	Carpenters.....	4	9	.33½
	Machinists.....	4	9	.33½
	Painters.....	1	9	.27½
Georgia.....	Farm help.....	2	.....	Monthly rates.
	Marble cutters.....	1	10	.25
Florida.....	Marble carving.....	3	9	.33½
	Stevedores.....	36	10	.20
Louisiana.....	Cotton picking.....	42	.....	Piecework.
North Carolina.....	Cotton mill.....	7	.....	Piecework.
Total.....		105	.....	.....

SLAVS AND HUNGARIANS—NORTHERN STATES.

Pennsylvania.....	Coal mining.....	133	.....	Ton rates.
West Virginia.....	Coal mining.....	800	.....	Ton rates.
	Coke ovens.....	25	.....	Ton rates.
Total.....		958	.....	.....

SLAVS AND HUNGARIANS—SOUTHERN STATES.

Alabama.....	Coal mining.....	616	.....	Piecework.
	Coke ovens.....	148	.....	Piecework.
	Farming.....	3	.....	Monthly rates.
	Iron ore mining.....	4	10	\$0.20
	Iron ore mining.....	52	.....	Piecework.
Georgia.....	Coal mining.....	25	.....	Piecework.
	Farming.....	2	.....	Monthly rates.
North Carolina.....	Carpenters.....	9	10	.25
Tennessee.....	Coal mining.....	44	.....	Piecework.
Total.....		903	.....	.....

ALL OTHER NATIONALITIES—NORTHERN STATES.

New York.....	Brick masons.....	5	10	\$0.24
	Brick masons.....	4	10	.30
	Core makers.....	8	10	.22½
	Core makers.....	2	10	.30
Vermont.....	Weavers, cotton mill.....	9	.....	Piecework.
Massachusetts.....	Cattle feeders.....	33	.....	Monthly rates.
West Virginia.....	Coal mining.....	372	.....	Ton rates.
	Coke ovens.....	461	.....	Ton rates.
	Machinists.....	4	10	.25
New Jersey.....	Carpenters.....	11	10	.25
	Farm help.....	1	10	.10
	Kiln setters.....	2	10	.22½
Total.....		912	.....	.....

ALL OTHER NATIONALITIES—SOUTHERN STATES.

Virginia.....	Cotton mills.....	12	10	\$0.10
	Blacksmiths.....	2	10	.25
North Carolina.....	Coal mining.....	44	.....	Piecework.
	Cotton mills.....	3	.....	Piecework.
	Furniture factory.....	18	10	.10
	Lathe hands.....	6	10	.20
	Molders.....	3	10	.22½
Alabama.....	Coal mining.....	200	.....	Piecework.
Georgia.....	Carpenters.....	9	10	.22½
	Farm help.....	2	.....	Monthly rates.
Tennessee.....	Copper mining.....	102	.....	Piecework.
South Carolina.....	Cotton mill.....	85	.....	Piecework.
	Phosphate mining.....	24	.....	Piecework.
	Farm help.....	19	.....	Monthly rates.
Mississippi.....	Picking cotton.....	66	.....	Piecework.
Kentucky.....	Coal mining.....	50	.....	Piecework.
Maryland.....	Coal mining.....	10	.....	Piecework.
	Oyster dredging.....	464	.....	Monthly rates.
Total.....		1,119	.....	.....

SUMMARY OF RATES OF WAGES PAID TO SKILLED EMPLOYEES, HELPERS, ETC.,
SENT OUT BY THE NEW YORK EMPLOYMENT AGENCIES, BY NATIONALITY AND
OCCUPATION.

Occupation.	Rate of wages per hour.	Employees receiving each rate of wages.			Total employ- ees.
		Italians.	Slavs and Hun- garians.	Other nation- alities.	
SKILLED OCCUPATIONS.					
Blacksmiths.....	\$0.20	5			5
	.25	1		2	3
	.30	1			1
	.33 $\frac{1}{3}$	5			5
Boiler makers.....	.22 $\frac{1}{2}$	8			8
	.34 $\frac{3}{8}$	4			4
Brick masons.....	.21	4			4
	.22 $\frac{1}{2}$	93			93
	.24			5	5
	.30			4	4
	.36	3			3
	.50	24			24
Carpenters.....	.20	11			11
	.22 $\frac{1}{2}$	19		9	28
	.25	28	9	11	48
	.30	5			5
	.33 $\frac{1}{3}$	4			4
	.35	4			4
Core makers.....	.22 $\frac{1}{2}$			8	8
	.30			2	2
Foremen, carpenters.....	.35	1			1
	.40	1			1
Kiln setters.....	.20	5			5
	.20 $\frac{5}{8}$	2			2
	.22 $\frac{1}{3}$	1			1
	.22 $\frac{1}{2}$			2	2
	.24	5			5
	.28 $\frac{1}{8}$	5			5
Lathe hands.....	.20			6	6
Machinists.....	.25			4	4
	.33 $\frac{1}{3}$	4			4
Marble carvers.....	.33 $\frac{1}{3}$	3			3
Marble cutters.....	.25	1			1
Molders, iron.....	.22 $\frac{1}{2}$			3	3
Painters.....	.27 $\frac{1}{2}$	1			1
Piano case hands.....	.30	2			2
Plasterers.....	.50	27			27
	.52 $\frac{1}{2}$	2			2
Stevedores.....	.20	36			36
Stone cutters.....	.30	2			2
	.3056	2			2
	.33 $\frac{1}{3}$	3			3
	.35	2			2
Stone masons.....	.25	7			7
	.50	15			15
Tile workers.....	.44 $\frac{4}{9}$	4			4
	.50	1			1
Total, skilled.....		351	9	56	416
MISCELLANEOUS OCCUPATIONS.					
Cattle feeders.....	Monthly rates.			33	33
Coke ovens.....	Piecework.		173	461	634
Concrete and cement.....	Piecework.	5			5
Cotton mill hands.....	Piecework.	7		88	95
	.10			12	12
Cotton picking.....	Piecework.	42		66	108
Farm hands.....	Monthly rates.	2	5	21	28
	.10			1	1
Furniture factory helpers.....	.10			18	18
Hat sizing.....	Piecework.	15			15
Helpers, carpenters.....	.10	2			2
Mining, coal.....	Piecework.	55	1,618	676	2,349
	.22 $\frac{1}{2}$	32			32
Mining, copper.....	Piecework.			102	102
Mining, iron ore.....	Piecework.		56		56
Mining, phosphate.....	Piecework.			24	24
Mining, sulphur ore.....	.28 $\frac{1}{8}$	5			5
Oyster dredgers.....	Monthly rates.			464	464
Weavers, cotton mill.....	Piecework.			9	9
Wood chopping.....	Piecework.	28			28
Total, miscellaneous.....		193	1,852	1,975	4,020
Grand total.....		544	1,861	2,031	4,436

In 1906, 640,474 immigrants of the Italian, Slavic, and Hungarian races went to the seven States—Massachusetts, Connecticut, New Jersey, New York, Pennsylvania, Ohio, and Illinois. They were 86.55 per cent of the total immigrants of the same races. In 1906, a total of 470,534 unskilled immigrant laborers of all nationalities went to the seven specified States. The proportion of unskilled immigrants of the three races going to these States for many years has been about the same.

The United States Bureau of Labor secured from the pay rolls of a large number of establishments, in the seven specified States and in all other States, the rates of wages paid in 1905. The Bureau, in Bulletin No. 65, for July, 1906, published for cities the average rates paid to unskilled laborers in building trades, foundry and machine shops, contract work on streets, municipal work on streets, and planing mills, and for States the average rates paid in lumber and saw mills, shipbuilding, and railroad car building, in addition to rates paid in other occupations in these and in other industries, but not including railroad construction or coal mining laborers, for which rates are given elsewhere.

The rates are those paid to unskilled laborers employed in these establishments and industries, many of whom are Italians, Slavs, and Hungarians. The number of laborers included for the 8 industries was 58,026 men employed in the North Atlantic, South Atlantic, North Central, and South Central States. Those employed in remote cities of the far Western States and removed from normal industrial conditions are not included.

The average rates per hour in the group of seven States, specified above, and the average for the four groups of States including the seven, and the average for other States not including the seven specified States, are herewith given:

AVERAGE RATES OF WAGES OF UNSKILLED LABORERS IN 8 SELECTED INDUSTRIES, 1905.

[Averages computed from data shown in Bulletin No. 65, article on Wages and Hours of Labor, 1890 to 1905.]

Industry.	Average rate of wages per hour in—		
	Seven specified States.	All States, including seven specified States but excluding Western group.	All other States, excluding seven specified States and Western group.
Building trades.....	\$0.210	\$0.185	\$0.164
Foundry and machine shops.....	.165	.161	.157
Streets and sewers, contract work.....	.180	.178	.175
Streets and sewers, municipal work.....	.222	.211	.199
Lumber and saw mills.....	.172	.151	.150
Planing mills.....	.171	.151	.146
Shipbuilding.....	.160	.153	.143
Railroad car building.....	.157	.153	.144

The average hourly rates of wages in 1905 for laborers in industries other than those shown in the above table were as follows for all the States:

Brickyards.....	\$0.1637
Flour mills.....	.1686
Gas works.....	.1749
Glass works.....	.1533
Blast furnaces.....	.1586
Marble and stone works.....	.2014
Paper mills.....	.1534

In the slaughtering and meat-packing industry, principally at Chicago, the Bureau of Labor reported the rates of wages of 10,664 common laborers employed in addition to 14 skilled occupations. A large proportion of the laborers were of the Slavic races. In 1905 the average rate of wages paid was 16.87 cents per hour, which was more than half a cent less per hour than in 1904, and 4.7 per cent higher than the average paid for the ten years from 1890 to 1899.

In 1905 the railroads of the United States employed 311,185 track laborers. The highest average rate in 1905 was \$1.50 per day in the New England States, and the lowest average rate was \$1.02 per day in the Southern States. The numbers and rates for the year 1905 were as follows:

AVERAGE RATES OF WAGES OF RAILROAD TRACK LABORERS, 1905.

Number of track laborers.	Nationality.	States in which employed.	Average rate per day.
11,271	Largely Italians.....	New England States.....	\$1.50
60,543	Largely Italians.....	N. Y., Pa., N. J., Del., Md.....	1.31
42,530	Largely Italians and Slavs, with some others.	Ohio, Ind., Mich.....	1.39
59,265	Largely Italians and Slavs, with some others.	Ill., Wis., Minn., Iowa.....	1.41
10,764	Mixed races.....	Nebr., Wyo., Mont.....	1.42
39,538	Mixed races.....	Mo., Kans., Colo., Ark., Okla., Ind. T.....	1.35
23,475	Mixed races.....	Cal., Ariz., Oreg., Wash., Nev., Utah, Idaho...	1.40
19,237	Largely Negroes, with some others.	Tex., La., N. Mex.....	1.22
14,226	Largely Negroes.....	Va., W. Va., N. C., S. C.....	1.05
30,336	Largely Negroes.....	Ga., Ala., Miss., Fla., Tenn., Ky.....	1.03

In New York, Pennsylvania, and other Northern States the rates have been increased since those given above.

New York City contractors, engaged in surface and building excavation, tunnel building, and deep foundation work, report the wages they paid Italian and other laborers in 1906, as follows:

WAGES PAID ITALIAN AND OTHER LABORERS ENGAGED IN SURFACE AND BUILDING EXCAVATION, TUNNEL BUILDING, AND DEEP FOUNDATION WORK IN NEW YORK CITY, 1906.

Occupation and nationality.	Rate per day.	Hours per day.	Character of work.
Laborers, Italian.....	\$1.75	9	Excavating in the open.
Rock men, Italian.....	2.47½	9	Surface foundation rock removal.
Laborers, Italian.....	2.00	10	Building excavating.
Laborers, Italian.....	1.75	10	Building excavating.
Laborers, Italian.....	2.00	10	Building excavating.
Laborers, Italian.....	^a .22½	.....	Loading scows, wet work.
Laborers, Italian.....	2.00	10	Surface excavating.
Laborers, Italian.....	2.50	9	Tunnel excavating, ordinary.
Laborers, Italian.....	3.00	9	Tunnel excavating, ordinary.
Laborers, Austrian.....	3.00	9	Tunnel excavating, ordinary.
Laborers, Hungarian.....	3.00	9	Tunnel excavating, ordinary.
Laborers, Irish.....	3.50	8	Excavating below 60-foot water level under air pressure.
Laborers, Irish.....	5.00	8	Excavating below 100-foot water level and deeper, under air pressure.
Laborers, Irish.....	3.00	8	Concrete work.

^a Per hour.

Union scale, Italian excavators, \$1.75 per day of 9 hours.

Union scale, Italian rock men, \$2.47½ per day of 9 hours.

Italian and Austrian freight handlers, New York depots, \$1.90 per day of 10 hours, with time and a half for overtime and Sunday work.

In another part of this article it is shown that, according to the report of the bureau of industrial statistics of Pennsylvania for 1905, more than 43 per cent of the anthracite mine workers of that State who reported their nationality were Slavs, Hungarians, and Italians. A very large number of these have stepped out of the ranks of unskilled laborers and have become miners, and, excluding Italians, about 50 per cent of the inside mine workers are Slavs.

The statisticians of the Anthracite Coal Commission, after a minute examination of the coal companies' books, showed that for 1901-2 the average earnings of contract coal miners working at tonnage or car rates were, for five of the principal companies, \$2.41, \$2.47, \$2.48, \$2.36 and \$2.57 per day, respectively.

The award of the commission added 10 per cent to these earnings, and the operation of the sliding scale increased this still further for each year. The average increase for 1903, on the basis of the sliding scale, was 3 per cent, 4.3 per cent for 1904, 4 per cent for 1905, 5 per cent for 1906, and 6 per cent for the month of January, 1907.

According to the report of the bureau of industrial statistics for 1905 in the bituminous coal and coke regions of Pennsylvania the Slavs, Hungarians, and Italians are over 51 per cent of all mine workers reporting their nationality. The total number in 1905 was 153,141.

THE PADRONE COMMISSARY SYSTEM.

The act of Congress of July 4, 1864, has often been charged with being responsible for the introduction of the padrone system into the United States. It was entitled "An act to encourage immigration."

It provided among other things that immigrants while abroad might make contracts pledging the wages of their labor for a term not exceeding twelve months, to repay the expenses of their immigration, which should be valid in law and might be enforced in the courts of this country; that no such immigrant should be compulsively enrolled for military service during the existing insurrection (the civil war) unless he declared his intention to become a citizen.

On account of the industrial depression beginning in 1893, the Secretary of the Treasury, on June 13, 1894, appointed an "immigration investigating commission," to inquire into the effect of the laws, and especially to investigate and report, among other things:

"Whether the padrone system exists in this country; and if so, to what extent and among what classes of immigrants, and what measures can be taken under existing laws to break it up and protect American laborers against its evil effect upon wages."

On October 7, 1895, the commission reported on "The Padrone System," saying: "The act of 1864 for the encouragement of immigration, which gave contractors, manufacturers, and employers power to contract with and import laborers from Europe to take the places of American workmen, is partially responsible for the beginnings of this system. It was only natural that during a period of practically unrestricted immigration purely commercial motives should have the fullest play and that human beings should thereby be victimized. The Italians were the first to be exploited in large numbers by the contractors."

"There is little doubt that a similar padrone system exists among Poles, Hungarians, Greeks, Armenians, and Syrians," was the opinion expressed by the commission, and that the subject "demands a far more thorough investigation than the commission has yet been able to make."

The statement of the immigration commission's report of 1895 has often been reprinted, namely, that the immigration act of 1864 was followed by the dispatch of agents to Italy to secure Italian cheap labor through the padrone.

The tables following give statistics of immigration for the years following the passage of the law of 1864. The first table shows that during the five years 1864 to 1868, when the law was in force permitting such contract laborers to come in, only 5,740 Italian immigrants of all ages and both sexes came into the United States in a total of 1,289,323 immigrants, averaging less than one-half of 1 per cent of the immigrants of all nationalities.

ITALIAN, SLAVIC, AND TOTAL IMMIGRATION TO THE UNITED STATES DURING THE LIFE OF THE ACT OF CONGRESS AUTHORIZING THE HIRING OF LABORERS IN EUROPE UNDER CONTRACT, 1864 TO 1868.

[Compiled from Report of the Commissioner-General of Immigration for the year ended June 30, 1905, page 38.]

Year.	Total immigrants admitted.	Italian immigrants admitted.	Per cent of Italian of total immigrants.	Slavic immigrants.	
				From Austria-Hungary.	From Russian Empire, including Poland and Finland.
1864.....	191,114	694	0.36	136	385
1865.....	180,339	594	.33	518	217
1866.....	332,577	1,318	.40	87	999
1867.....	303,104	1,585	.52	392	618
1868.....	282,189	1,549	.55	553	376
Total.....	1,289,323	5,740	.45	1,686	2,595

The law was repealed in 1868, and for fourteen years after, or until 1882, there was no United States law governing immigration, and not until 1885 was there any law prohibiting contract labor. During the seventeen years following 1868 the total, the Italian, and the Slavic immigration are shown in the following table:

ITALIAN, SLAVIC, AND TOTAL IMMIGRATION, 1869 TO 1885.

[Compiled from Report of the Commissioner-General of Immigration for the year ended June 30, 1905, pages 38 to 40.]

Year.	Total immigrants admitted.	Italian immigrants admitted.	Per cent of Italian of total immigrants.	Slavic immigrants.	
				From Austria-Hungary.	From Russian Empire, including Poland and Finland.
1869.....	352,768	1,489	0.42	1,499	527
1870.....	387,203	2,893	.75	4,425	1,130
1871.....	321,350	2,816	.88	4,887	1,208
1872.....	404,806	4,190	1.04	4,410	2,665
1873.....	459,803	8,757	1.91	7,112	4,972
1874.....	313,339	7,667	2.45	8,850	5,868
1875.....	227,498	3,631	1.60	7,658	8,981
1876.....	169,986	3,017	1.77	6,276	5,700
1877.....	141,857	3,195	2.25	5,396	7,132
1878.....	138,469	4,344	3.14	5,150	3,595
1879.....	177,826	5,791	3.26	5,963	4,942
1880.....	457,257	12,354	2.70	17,267	7,191
1881.....	669,431	15,401	2.30	27,935	10,655
1882.....	788,992	32,160	4.08	29,150	21,590
1883.....	603,322	31,792	5.27	27,625	11,920
1884.....	518,592	16,510	3.18	36,571	17,226
1885.....	395,346	13,642	3.45	27,309	20,243
Total.....	6,527,845	169,649	2.60	227,483	135,545

This table shows that in the period when contract laborers were brought in without let or hindrance, during the twenty-two years from 1864 to 1885, in a total immigration of 7,817,168 only 175,389 Italians, or 2.2 per cent, took advantage of the inducements offered, and the Slavs constituted only 4.7 per cent of the total immigrants.

The Italian padrone, boss, or middleman developed in the United States after 1885, when the Italians began coming in largely in-

creased numbers. He did not follow any similar occupation in Italy, since the conditions of living, of wages, and of employment in that country were such that employment agencies of this character could not exist. He was shrewder, cleverer, and more unscrupulous than his fellows. He improved on the systems of swindling he found, creating the American padrone system, and perfecting it by establishing intimate relationship through agents, friends, and correspondence in Italy and this country with Italian laborers coming and returning.

What the padrone system was in the years preceding 1895 is told in the report of the immigration investigating commission under date of October 7, 1895. At page 26 it says:

A contractor who had a large enterprise on hand, and desired to secure labor therefor at the lowest possible price, appealed to an Italian banker. The banker, through agents in Italy, engaged the necessary number of laborers and brought them here on prepaid tickets, from each of which he received a commission. On landing, the men were taken in hand by his agent, distributed among boarding houses under his control, and charged extortionate rates for board. When the banker finally assigned them to their work, he collected a commission for so doing, both from them and the contractor. While employed they were forced to live together in shanties owned or hired by his agent, to pay exorbitant rents, and to buy all their provisions from this agent at enormous prices. All money sent home by them was transmitted through the banker, and for this service a large fee was charged in addition to the rate of exchange. When they were ready to return to Italy the banker secured another profit on the return tickets. In a word, from the time these migratory laborers were engaged in Italy till they returned thither, they were under the control of the banker and a constant source of profit to him.

The commission has knowledge that within five years padroni having from 500 to 600 people employed on sewers and waterworks deducted from their wages 10 and 15 cents a day for procuring them the employment, and practiced on them most of the impositions already noted.

Actual dishonesty on the part of the banker, though less frequent than extortion, was not uncommon. Commissions were charged for securing work when no work was secured. Men were turned away without cause, that more commissions might be collected from new men. Payment was refused for the last few days' work on a job. Fees were charged for sending to Italy money which really landed in the bankers' pockets. Only last year [1894], in fact, not less than \$100,000 was actually stolen from Italian workingmen by half a dozen bankers in New York, Boston, and Newark.

The report states that "even after the passage of the contract labor law" of 1885 the importation of Italian labor continued, and that circulars were sent throughout the State of Wisconsin in 1886 by an Italian company in New York advertising gangs of men for

grading, mining, street cleaning, snow shoveling, breaking stone, repairing washouts, and laying ties and water and gas mains at figures that would repay inquiry. "Contractors will find," boasted these circulars, "that the authority of this company over the men it furnishes is of special advantage in all dealings it may have with them."

The report continues:

The recent more rigid enforcement of the contract labor laws and the cooperation of the Italian Government have done much toward breaking up so much of the *padrone* system as has to do with the direct importation of labor under contract. The bankers interested even claim that the *padrone* system no longer exists, that the recent industrial depression has shut off the possibility of employment, and that so many cheap laborers have already been imported that it is useless to bring more. There is doubtless some truth in this claim. Nevertheless, it is on the whole, misleading. It must be borne in mind that a demand for higher wages comes even from Italian workmen, after they have been in this country for a time, and that on this account a plentiful supply of the cheapest labor can be kept up only by frequent importations. The claim is further misleading, in that it ignores the shifting about by the *padroni* of the large bodies of Italian workmen already here.

The Italian laborer comes now, not under direct contract perhaps, but with the knowledge that he need only go to the Italian quarter in the port of his arrival to get work, as his countrymen have done before him. Once in this quarter, he falls under the influence of the *padrone*, and thereafter is at his disposition. The *padroni* still manipulate immigrant labor very much as they please, and it is thus still possible for a contractor to secure within a few hours any number of Italian laborers, skilled or unskilled, at wages 33 to 50 per cent below the American standard. This is an injury as serious, perhaps even more serious, to the latter than direct importation because of the greater ease and quickness with which their labor can be supplanted.

The report cites a number of instances of overcharging and excessive fees by Italian *padrones*, and of cases where Italians paid fees and fares and were victimized by *padrones*, no work resulting. The most common form of abuses by *padrones* was to take commissions ranging from \$1 to \$6, promising work, then neither furnish work nor refund the money. Another was to secure the railroad tickets to take the men to their places of work and make them pay an extra price for them. They sent laborers home after a few days' work without reason and employed new gangs for the sake of new commissions. Besides the commissions, they exacted a sort of weekly or monthly tax during the whole time of work. The laborers were forced to lodge in dirty shanties, and those who refused were made to pay for lodgings in them just the same. The men were obliged to buy all provisions from the boarding houses connected with the work, and every week the quantity of food was determined, the

quality being the worst and the price the highest possible. Those who did not buy had to pay with the rest. The wages for the last week's work were generally stolen by the padrone.

At the padrone banks there was fraud in exchanging money and delay in forwarding it, and bankruptcy and flight to other places common. The immigration investigating committee of 1895 made a number of recommendations. For the prevention of the padrone system the report states: "National or State legislation is suggested requiring all persons engaged in finding employment for immigrants to be licensed. * * * That all persons contracting for the services of any immigrant within one year of his arrival in this country should pay the wages or salary earned directly to such immigrant, who alone shall receipt for the same, and payment to any middleman, boss, or other person shall not be recognized as a liquidation of the debt. * * * All advances made to such immigrants for board, lodging, food, raiment, money, or other articles shall be made directly by the contractor to the immigrant, and not by or through any middleman, boss, or other person whatsoever, and at prices at which the same articles could be procured in open market." For the purpose of aiding in the detection of padrones or employers importing contract laborers, a change was suggested in the manifest of the steamships, which reads as follows:

Change the twelfth question in the manifest—whether the immigrant has paid his own passage, or whether it has been paid by another, or by any corporation, society, municipality, or government—by adding the words, "and if so, by whom?"

A phase of the padrone system is said to have existed in the years following our civil war (when Italian immigration was less than 2 per cent of our total immigration), very much unlike that which has prevailed during the past twenty years.

The padrone of that period is said to have persuaded men, women, and children to follow him to the United States under contract to work for a stated length of time, covering generally from one to three years. "The men were farmed out to any person who saw fit to employ them at the padrone's prices," at common labor. Unlike the padrone of the past decade, "the padrone boarded his people, received their wages, and gave them the merest pittance in return for hard work, accompanied by much abuse." "Forty dollars for a whole year's service was a fair padrone wage;" and it is said that in some instances that was the entire compensation for the work of two and a half years. "The women fared worse, since they were frequently placed in houses of prostitution and never heard of again. The children were sent out on the streets as bootblacks, to sell newspapers, fruit, and flowers, and to beg, all for the benefit of the padrone. Minors were occasionally bought outright from the parents." This system had not died out when the first act to regu-

late immigration was passed by Congress in 1882, but it became practically extinct through the enforcement of the contract labor law and the cooperation of the Italian Government.

The system succeeding this is described in the accounts given by the immigration investigating commission of 1894 and also in the Bulletin of the Department of Labor of March, 1897. Details of the 1894-95 report are given in another section of this article. The description of the padrone system as it existed among the Italians of the Eastern and Middle States, which was published in the above mentioned Bulletin, is reprinted herewith:

The bulk of Italian immigration [1897] comes from the southern * * * provinces, Abruzzi, Avellino, Basilicata, Sicily, Naples, and Calabria. Most of them are of the peasant class and accustomed to hard work and meager fare, generally illiterate, but of a childlike mind and imagination, quick to forget, and easily led astray by schemers. The majority are booked for New York, comparatively small detachments being landed elsewhere. Nearly all who come for the first time and have no relatives to join make at least a temporary halt in New York. This city has thus, as a matter of course, become the Italian center of the country, and hence the home as well as the stronghold of the padrone system.

Even the Calabrian or Sicilian who finds no friends or relatives to greet him is rarely at a loss where to go on being released from Ellis Island. He brings at least the address of some banker, perhaps that of the man who furnished the ticket on which he came over. The banker has many connections abroad who are able to play more or less into his hands, regardless of the provisions of the contract labor law, and give the immigrant the cue how to start out on his American career. Should he be penniless, the banker may go on his bond to insure that he will not be a burden to the community, and stands ready to provide him with food and shelter without immediate compensation until work is found. The next step is for the new arrival to look for employment with the pick and shovel, for he is usually an unskilled laborer. Employers of his own nationality are scarce, and unfamiliarity with the language prevents him from applying to others for work, so he turns to one of that numerous fraternity who make it their vocation to supply contractors with cheap labor—the bosses. The common laborer, or *cafone* as he is vulgarly called, recognizes only these middlemen as bosses, not the contractors themselves, unless they happen to be Italians, in which case they are distinguished as boss contractors. The *cafone* might also hesitate to make a personal search for employment, fearing the vendetta of his countryman boss, who, for reasons that will appear later, often stands high in the graces of the contractors. There is thus little choice. He must go to the boss (the term *padrone* is no longer used) to get a job or remain idle.

The *modus operandi* of the average boss is simple enough. He knows the street and steam railway corporations and the principal contractors and others who from time to time employ large forces of men, and keeps posted about new work about to be undertaken. He may deal directly with the representative of a corporation or with the contractor and obtain from them a definite order for a

number of men. If unable to fill such an order at once, he has recourse to his friend the banker, to whom he states how many men are wanted, the daily wage, the amount of the bossatura (so is called the commission the laborer must pay to the boss as a bonus for obtaining employment), and whether the men shall be boarded by him while at work, etc. A mutual understanding having been reached, the banker posts a notice in his window calling for the number of laborers required and sends out his runners "to make the men." Enough applicants having been found without much difficulty, verbal information is given concerning the place of work, the wages, the probable duration of the job, the bossatura, and the railroad or steamboat fare. When the several stipulations have been agreed to the men are considered "made," the boss takes them in charge, and eventually ships them to their destination.

The amount of the bossatura depends on the period of employment, the wages paid, and on whether the men are to find themselves, in which latter case the commission is always somewhat higher. Ordinarily it varies from \$1 to \$10 per man. For an assured job, lasting five or six months, \$10 is considered a reasonable fee. The commission rates in New York appear to run higher than in other cities, owing to the more plentiful supply of labor. The bossatura is usually paid in advance and secretly, the boss knowing very well that the transaction is illegal, since he is not licensed to conduct an employment bureau. Taking advantage of his countryman's ignorance, the boss does not hesitate to overcharge the regular rates for transportation. When moving a considerable body of men, he is often able to secure reduced rates, but charges a full first-class fare. If the place of work is in the country at some distance from the starting point, the boss is generally permitted to board the men, or he buys this privilege from the contractor at so much per head monthly, according to the time of employment and the wages paid. In such a case the men are occasionally sent out from the city a week earlier than necessary in order that the boss may profit the more. The boarders are threatened with heavy penalties for purchasing elsewhere food or any other article kept for sale at the shanty. Notices to this effect are sometimes posted. The penalty for disobedience is a fine or dismissal. In some instances the boarders are compelled to buy food to a fixed daily amount, under threat of immediate discharge. Generally, however, they are allowed to spend at pleasure. The provisions are furnished in a raw state, and cooked, if at all, by the men themselves. The food furnished by the boss is usually of an inferior quality and often unfit for consumption.

* * * * *

The boss is oftentimes prepared to supply other useful things needed by the men, such as underclothing, shoes, and overalls, at fancy prices. A 5-cent postage stamp costs 10 cents at the shanty, and an envelope 5 cents; for writing a letter a charge of from 10 to 25 cents is made, and for bringing a letter from the post-office a similar amount. But there may still be other items of expense to the laborer. The boss must make good the cost of the boarding privilege, and accordingly exacts from \$1 to \$3 per head for the huts in which the laborers sleep, although they may have been furnished gratis by the contractor. To the rent are sometimes added regular fees for medical service, drugs, and accident insurance. The latter is of

course not effected, and the case must indeed be serious if a regular physician is called in. In some camps weekly or monthly taxes are levied under the heads, "diritto di Madonna," "diritto di lampa"—contribution to the Holy Virgin and for lamplight.

This is in outline the present-day [1897] padrone system in its more favorable aspects as it exists among the Italians of the Eastern and Middle States. Its perpetuation does not, as is commonly assumed, depend solely on fresh accessions of immigrants. The laborer working for \$7 a week under a boss who boards him must count himself fortunate if he can save more than one-half of his earnings. A number of men who were interrogated on this point assured the writer that their weekly savings during the part of the year when work is plenty did not average over \$3. Protracted periods of idleness ensue, a goodly share of the earnings are sent to Italy or squandered, and the laborer may face the winter months with empty pockets. Yet he need not fear starvation, nor is he forced to seek charity. The boss or banker-boss is again ready to tide him over until spring comes. He invites him to the boarding house, with the understanding, of course, that he shall enter the boss's employ at the first opportunity. Large tenement houses owned by bankers can be pointed out on Mott and other New York streets that serve as winter quarters for the *cafoni*. They are huddled together, a dozen or twenty in one room, in violation of all sanitary regulations. Like conditions prevail to some extent in Boston. It is not incredible, as the writer has repeatedly been told, that the bosses encourage their guests in all manner of extravagance in order to get a firmer grasp on their future earnings. Another method by which the boss retains his hold on the men is by employing them one week and keeping them idle the next, under the pretext that work is scarce. The boss then appears to the men in the rôle of a truly benevolent master.

The abuses under the padrone system are likely to assume an aggravated form when, as frequently happens, a gang of men is sent to a remote country district in charge of a padrone who acts as boss, boarding master, and foreman of the job. Then cruel treatment of the hands is not uncommon. Cuffs and kicks have to be endured, and the laborer may at the end of several months' hard work find himself possessing funds barely sufficient to take him back to the place whence he came. Or the boss may abscond with the men's wages, leaving them to shift for themselves as best they can. Such happenings, while by no means rare, seldom obtain publicity. Poverty and lack of intelligence keep the victims from prosecuting the absconder, although some complaints reach the authorities. The mining regions of Pennsylvania and West Virginia have harbored a number of the worst padroni. They are said to have accomplices in each gang, who share the spoils in return for protection when threats of violence are made and act as "council of war" in case of trouble.

The report gives an illustration of one method of swindling in New York City, in which a padrone and a minor boss collected 100 men to go to a job out of the city, each man paying \$3 fee to the banker-padrone, who in turn paid it to the boss in their presence, together with the money to pay railroad fares. The boss took the men to Jersey City and deserted them there. The men appealed to the banker,

who protested his innocence, but finally presented them with \$1 each. The report says:

In general, the Italian padroni may be divided into three classes: (1) The small bosses, who are by far the most numerous and subsist by securing odd jobs for individuals and small groups, or by resorting to petty fraud in various ways; (2) the bosses who regularly supply contractors and others with laborers in considerable numbers; and (3) those who are in the employ of corporations or act both as bosses and independent contractors. The last class is very small. In New York not over half a dozen men belong to it, in Philadelphia about four, and in Boston three or four. These men are usually graduates from class 2. It must be said of them that they treat their subordinates far more humanely than do the others. The petty bosses have the reputation of being the worst extorters of money. By the best informed the number of bosses in New York and the adjoining cities is placed at about 2,000. This is the minimum estimate, and includes those who may be regarded as assistants to the bosses.

So far as could be learned, not a single one of them undertakes to supply any but unskilled labor to contractors doing work in New York. Careful inquiry among the labor unions did not bring to light a single instance showing that the organized trades are affected by the padrone system. * * *

The contention that the Italian laborer is always underpaid or receives less wages than the market price seems unfounded so far as employment in the large cities is concerned. * * *

To make the Italian bosses and bankers shoulder the entire blame for the existence of the padrone system were manifestly unjust. That contractors and other employees are more or less in league with them can not be doubted, no matter what their nationality. It has been established beyond denial that they sell boarding privileges, ask a bonus from the padrones for giving them employment, refuse to pay for overtime, and the like. Cases have, moreover, come to the surface showing that American employers have adopted padrone methods, sometimes on a large scale. A single incident may suffice as an illustration. The writer has before him a list containing the names of twenty-three Italians and the sum each one paid to an American connected with one of the largest railroads in New York in hopes of securing permanent situations. The total amount aggregates \$1,605, and ranges from \$40 to \$115 per man. The men, at least some of them, were put to work for a short time and then discharged. The dishonest official, be it said, finally suffered the same fate, but his victims obtained no further satisfaction. * * *

The abuses described in the Bulletin of 1897 were continued for years after, becoming less frequent and notorious as the exposures from time to time created a public opinion culminating in the New York State law of 1904 and in arousing to action the general officers of the railroads.

ABUSES IN 1903, 1904, AND 1906.

Within the past two years the general officers of trunk line railroads upon which large numbers of Italian laborers were employed have taken strong measures for correcting the abuses which had grown up with the padrone system. The methods employed to improve conditions are set forth in another part of this article.

The following experiences of Italian laborers show that subordinate officials of the railroads formed combinations with the padrones for the systematic plundering of the men. The facts set forth occurred in 1903, 1904, and 1906.

In several instances discharges of subordinate officials resulted. It is admitted that when work is slack and competition for employment keen, bribes are sought, offered, and accepted by such subordinates, if they are satisfied it can be done secretly and without danger to themselves. The statements in English are translations from the statements made in Italian by each of the laborers.

On or about June 30, 1903, I needed work badly and applied to _____, an Italian boss or foreman on the _____ Railroad and demanded work. He told me that he could give me work if I was willing to pay \$5, such fee being demanded by the foreman of the railroad. I paid the demanded money, was put to work on July 1, 1903, in the gang and given the Italian brass work check No. _____. I worked with the gang until the 1st of October, 1903.

On March 3, 1904, [the padrone clerk] sent me word to go to work, and added: "I don't care whether they board or live in the shanties or not." I went to work with two friends of mine. My number was Italian brass work check No. _____. I can not remember the numbers my friends had. I started work, I think, on the same day [March 3] or next. The boss of the gang was _____. I worked up to April 13, 1904. On April 13, 1904, the boss said to me: "No more work; the men of my gang must board with _____." I demanded my time. He said: "You must wait; it comes from New York." I quitted work on same day. He sent me word through _____ to go back to work again. I declined.

I am an Italian by birth, from the village of Sannicandri, Province of Bari, Italy. Some time ago I and seven friends of mine, all from the same place, have been engaged by a banker in New York, in Mulberry street, to go to work to _____. The terms were that we should be bound to spend \$7 monthly at the store. We paid to said banker \$1 per capita and left for _____. At _____ we were packed in the railroad yard into one of the working-train cars with another gang of eight men—in all 16 men. Our sleeping quarters were two rows of berths [plain boards], and each of us had to furnish his own bedding—that is, a bundle of straw, which has been charged 35 cents per man, and a bag, which was charged 50 cents per man. Another car of the same size was attached to our sleeping car and was used as a store, where we were, under condition of our contract, bound to buy our supplies. There we had to buy macaroni at 8 cents per pound [bought at wholesale at 80 cents per box

of 25 pounds]; sausages at 20 cents per pound [bought at wholesale at 10 cents]; cheese at 40 cents per pound [bought at wholesale at 21 cents per pound]; beer in bottles [1-pint bottle] at 6 cents per bottle. They said we should have a shovel and pay for. They charged us 75 cents per shovel. Two of my friends didn't need any shovel, but have been charged 75 cents each the same. I was put at work with my friends. I had Italian No. —, my friends had Italian Nos. —, —, —, —, —, —, and —, respectively, in the order of names afore cited. On the 22d of April [the padrone] came to us and said: "You must make [pay] \$10 board every month; if you don't, I will charge the amount the same." We [all eight men] quitted and demanded our time. Each of us has been charged \$1 for rent of the car of the railroad company used for fifteen days. We had to move out of the car, although we had paid for the rent of one month, for the cars were to be moved to another place.

On March 3, 1904, I went to work on the — Railroad at —, in the gang of —. The clerk of [the padrone] attending the store in the railroad cars in the yard told me: "You must come and lodge in the car and spend \$10 per month at the store." I said: "I will pay you \$1 per month, but I want [to] stay home at night [as I live in the town]." The clerk said that it was all right, but that he would charge \$10 against my wages if I were not going to spend such amount at the store during the month. To be able to work, I agreed to pay \$1 per month for rent, and I agreed also to spend at the [padrone] store \$10 per month. My number in the gang of — was and is Italian No. —, and in the store of [the padrone] in the yard at — I was booked as No. —. In the book given to me by the clerk of [the padrone] such No. — is marked on the top of the page and under in figures are marked the amounts spent at the store of [the padrone] during the month of March. The numbers so marked are in the handwriting of the clerk of [the padrone]. It appears from said book that during the month of March I had bought of the store the following amounts: \$1.14, \$0.28, \$0.12, \$0.44, \$0.12, \$0.36, \$0.16, \$0.98, \$0.37, \$0.16, \$0.36, \$0.82, \$0.15, \$0.58, \$0.08, \$0.12, \$0.72; total, \$6.96. On the pay day of the month of March I was charged \$8.50. In the month of April I was booked at the store as No. —. It appears from the book given to me by the clerk that under said No. — I have bought of said store the following amounts: \$0.12, \$0.28, \$0.10, \$0.17, \$0.16, \$0.73, \$0.31, \$0.47, \$0.20; total, \$2.54. Monday morning, April 25, the foreman told me: "The car[s] are to be taken to — this morning; you must go to live in the shanty at — or I must discharge you; this is the order I have." To-day I went to the store at the shanty at — to verify my account. The clerk told me that he had the report from the clerk of the boarding car moved to —; that my account with — was already \$8 up to this date. I met to-day — the clerk of the boarding car at — and asked explanation why he had charged me the amount of \$8, whilst from my book, with his own figures, it appears that the amount I bought is only \$2.54. The clerk said: "The fault is not mine. [The padrone] himself marked down the amount."

I have been working on the ——— Railroad for several years in the different gangs. When I came to ——— to get work on the railroad I was charged \$5; of these I paid only \$2, I refused to pay the balance. On March 3, 1904, I called on Mr. ———, the superintendent of track at ———, and asked for work. Mr. ——— knows me pretty well and said to me: "I can't give you any job. If you want any you must go to the shanty of ———, live there, and spend there at least \$7 per month." I said that I couldn't afford to do it, for I had others to support with myself, and he said he couldn't help it.

During the summer of 1903 I was working on the ——— Railroad in the gang of ———, and was lodged at the shanties conducted by [the padrone] at ———. On account of the unhealthy conditions of the shanties, the rottenness of the groceries sold in the store therein, and the exorbitant prices charged, I couldn't live there and I quitted work. I had to sleep on a handful of straw [charged 25 cents], pay \$1 monthly for rent of the shanty, 25 cents per month for lamp and light, 50 cents monthly for coal, beer 6 cents per bottle, 1½-pound loaf of bread 10 cents, macaroni 8 cents per pound, tomatoes 14 cents a can, cheese 36 and 40 cents per pound, sardines 8 cents per box, sausages 20 and 24 cents per pound, and not only that, but bound to spend at least \$10 per month, and with such high prices \$10 was not enough to keep a man in shape for work fifteen days. Further, to secure work on the ——— Railroad at such conditions, I had to pay to [the padrone] \$10 [\$5 per time] otherwise he wouldn't allow me to work. On the 27th of February, 1904, I called on Mr. ———, superintendent of track, ———, and asked him if he would give me work. He said: "Come on the 29th and I will see what I can do." I called on the 29th of February and Mr. ——— gave me a note for the foreman, reading as follows: "I recommend this man." On the said note ——— put me at work on March 3, 1904. I made half-day work. Next morning, March 4, I reported to work and was to commence work when ——— came along and said to me: "You can't work; no man can work on this line if not furnished by [the padrone]." I dropped tools and left.

The gang I was working with is known as "extra gang;" the boss of said gang was an Italian whose name is ———, a resident of ———. In the gang I had the Italian brass check ———; in the boarding caboose book I was registered as No. ———. The caboose is switched in the railroad yard at ———, and therein [the padrone] is lodging his laborers and conducting a general store. The laborers therein lodged are compelled to buy all their supplies, beer included, of the general store therein conducted by him. On or about March 31, 1904, I quitted the work and received my certificate of discharge, marked No. ———. From said certificate it appears that I am in credit, for work done, of \$30, and in debt of \$8.15 due, deducted and paid to [the padrone], for supplies I have bought of him during the time I lived in the boarding caboose. The amount of \$8.15, charged against my wages by [the padrone] deducted from the amount of wages due me, and paid over to him by the railroad company without my approval, without giving me even a chance to see and to say whether it is or it is not correct, has been supplied to me only to an extent of \$6.90; this fact is proved by the book. The items marked in the book by the clerk of the ——— show that

I have received from the store the following amounts: \$1.72, \$0.12, \$0.80, \$0.12, \$0.36, \$0.48, \$1.36, \$0.22, \$0.24, \$1.48; total, \$6.90; overcharged, \$1.25. I complained to the clerk and he gave me 1 pound of tea, which he valued at 60 cents, and refused any further reimbursement.

In the month of August, 1906, Magistrate Wahle, in New York City, held a foreman and a subforeman of a railroad in \$300 bail for trial at special sessions for extorting sums of money ranging from \$2 to \$8.25 from six Italian laborers in the employ of the railroad company, under threats of deducting time worked. The affidavit under which the men were arrested and held for trial is as follows (names omitted):

The laborer, ———, being duly sworn, deposes and says that he resides in the city of New York; that he has lately been in the employ of the ——— Railroad Company, as a laborer, at ———, in the city of New York.

That while deponent was as aforesaid employed he was under the orders, direction, and control of ———, foreman for the said ——— Railroad Company, and ———, his assistant.

That the said foreman and his said assistant were the timekeepers of this deponent, and had authority to discharge this deponent, with or without cause.

That at various times during the month of August, 1906, the said foreman ———, and his said assistant, ———, requested and accepted money to the amount of \$7.50 from this deponent, without the consent or knowledge of the said foreman's principal, the said ——— Railroad Company, on an understanding, and an agreement with this deponent, that if your deponent refused and failed to give to the said foreman and his said assistant the said sum of money that said ——— and ——— would fail to report deponent's full time, or would discharge your deponent, all in violation of section 384r of the Penal Code.

Sworn to before me this ——— day of ———, 1906.

Commissioner of Deeds for New York City.

THE PADRONE COMMISSARY SYSTEM OF THE PRESENT TIME.

In contrasting the padrone commissary system of the present day with that existing in the periods described in preceding pages, it becomes evident that conditions have greatly improved and that many of the extortions and abuses practiced in former years have been eliminated. But the system of segregation, keeping the Italian laborers from coming into contact with American life, thought, and habits, continues to be the most vicious feature, not alone of the padrone commissary system, but of the commissary system in all of its independent forms.

One of the results of the years of agitation and effort for the prevention of extortions and abuses was the enactment of a law by the legislature of the State of New York on April 27, 1904, for dealing with such conditions. This law was amended and improved

April 27, 1906. In his annual report for 1906 the commissioner of licenses of the city of New York says:

The office of the commissioner of licenses was created two years ago by special act of the legislature, for the purpose of abolishing the evils which had grown up in the conduct of the employment agencies of the city and to institute and maintain a system of inspection and regulation which would prevent a recurrence of the abuses which unrestricted latitude had made notorious. * * * Chief among the features of the amended law is that it specifically applies the jurisdiction of the commissioner of licenses to several classes of agencies which the act of 1904 covered generally but too vaguely. * * * It specifically provides for the regulation of the Italian padrone system which in the past has been prolific of abuse and injustice. It aids the commissioner of licenses to more effectually prevent the swindles which were perpetrated upon unsophisticated members of the community by misleading advertising and false promises on part of agents regarding employment; it better enables the commissioner to withhold licenses from persons whom he deems to be morally unfit to conduct employment agencies, and it prohibits absolutely the collection of fees by agents on the promise of procuring employment in places where no employment exists.

Summarizing the results of the work of the New York City office from May 1, 1905, to May 1, 1906, under the law of 1904 and before the law of 1906 became operative, the commissioner of licenses, for that part of his work relating to padrone and other employment offices, gives the following, which does not include anything relating to domestic service:

Number of complaints involving refund of fees to applicants for employment .	812
Amount of money refunded by agencies to applicants for employment as a result of complaint made to this office	\$2, 130
Number of proceedings instituted in criminal courts	47
Number of convictions	15
Number of licenses revoked	13
Number of applications for licenses rejected	22

Under the amended law the bureau is enabled to deal with the system more effectively.

In his report of May 1, 1906, the commissioner says:

It is hard to prove legally that the New York employment agencies give false information to applicants as to the character and conditions surrounding the work at the point of destination, and the stories of ill treatment beyond the commissioner's jurisdiction by the employing companies are flatly denied by them and their agents. No class of agencies opposed the application of the employment agency law to them, as did the padrones. Many of them had to be prosecuted in the police courts and made to pay fines, before they would consent to take out licenses.

Perhaps the greatest and most important factors in improving the condition of Italian laborers have been the action and attitude of the general officers of the railroad companies. For some years

past all the railroad lines in the North Atlantic States and in some of the North Central States have been dependent upon Italians for their supply of common labor. This supply could be obtained only through the padrone commissary system and the labor agencies inseparable from it. The customs, clannishness, and suspicious nature of the Italians could not be met in the regular way. Language was an additional bar. Maintenance-of-way engineers, track superintendents, and foremen were powerless in any attempt to deal directly with them, and, as a matter of fact, they made little or no effort in that direction. Instead of this, they entered into agreements or contracts with the padrones for the supply, management, and care of all of the Italian laborers required. The padrone became the middleman, coming between the employer and employed.

The padrone on the right of way of the railroads feeds, clothes, and furnishes heat, light, and a sleeping place. Through him, and not through the foremen, passes for transportation are furnished at such times as the men need them. The padrone is to the laborers, to all intents and purposes, the real employer. The foremen and time-keepers report the number of hours worked. At the end of each month the deductions for food, rent, clothing, and sundries furnished at the padrone commissary are turned into the company's offices. Later, when the pay car arrives, each laborer receives the balance due him for the previous month's work after the deductions are made. This system has relieved the companies of a great deal of trouble, and they have become very well satisfied with it.

In former years overcharges and extortions were deducted from the pay rolls without let or hindrance or with unavailing protests. Foremen added to the abuses by requiring payment of certain amounts by the laborers, with promises to retain them at work or give them preference over others. The commissary deductions per man ran up to \$12, \$15, and as high as \$20 per month, which amounts were nearly three times as great as the actual purchases. The higher officials of the companies, desirous of stopping the practices, employed detectives who in the guise of laborers went over the lines and reported the actual conditions. The padrone labor agents were called to the offices of the companies and were emphatically told that there had to be radical changes made in their dealings with the laborers.

One company also extended the labor agency and commissary privileges to other padrones, and the ensuing competition resulted in lowering the prices and reducing cost of living materially. The general manager of the line explains the regulations relating to labor agents as follows:

Men of this character are usually employed through labor agencies, and their consideration is the privilege of running a commissary to

supply the men with provisions, clothing, etc. In some cases the men doubtless traded out their wages. In order to regulate such practice a rule was made that no man working as a laborer should incur any obligation with any such labor agent greater than \$10 per month—and proportionately less for a less period of labor—and that the prices charged the men for supplies should not be exorbitant, all matters of location, transportation, and other such features being considered. Any infraction of these rules would mean the dismissal of the agent. These rules were made very emphatic to the labor agents, and the laborers were also made acquainted with the situation.

Under these regulations no misconduct to any extent has been discovered. In order to see that these regulations, and other rules of a similar nature, are being properly observed, full information is secured at intervals in different territories through an indirect conference with the laborers.

In addition to this, foremen were instructed to hire laborers without the intervention of the padrone. Further changes are contemplated looking to the dropping of several labor padrone agents.

One of the most interesting, instructive, and enlightening documents on the workings of the Italian commissary system and the interposition of the Italian middleman between the laborers and their American employers is herewith presented. It is a copy of the printed rules and regulations for storekeepers employed and laborers controlled by the Italian agent or middleman on one of the great eastern railroads. It is printed in Italian and in English. A copy is furnished to each laborer and he signs the agreement to abide by the rules and regulations as part of his contract to work. The agent has commissary stores and shanties along the main lines and branches and sells immense quantities of supplies. The rules are as follows:

RULES AND REGULATIONS FOR LABORERS.

I. Storekeepers must keep the premises to which they are assigned in a neat, orderly, and healthy condition, and are required to thoroughly clean, trim, and fill the lamps daily.

Buildings or shanties occupied by section gangs must be cleaned thoroughly by the men each day; each occupant must take his regular turn under the supervision of the storekeeper or the person specially deputed for that purpose. Each laborer or occupant is required to thoroughly clean and air his mattress and bedding and change his underwear each week.

II. The grounds adjacent to the buildings or shanties must be kept in a neat condition, and all persons are forbidden to deposit refuse of any kind, or commit any nuisance in the immediate vicinity.

III. At 9 p. m. each day the occupants of the buildings or shanties are required to retire; they shall refrain from loud talking or singing, and under no condition shall the other occupants be disturbed.

IV. Any laborer detected in stealing vegetables or other property or in stealing anything from any inhabitant shall forfeit and pay an amount not less than 25 cents nor more than \$5, or the value of the property stolen. Laborers will also forfeit and pay a sum not exceeding \$5 for any violation of these rules.

V. Laborers will be required to board themselves—that is, to do their own cooking. If any overcharge is made by any storekeeper for provisions or supplies, the same should be reported at once to my office. No correction will be made after the monthly statement has been rendered to the company showing the amount of each man's board, and other charges, which amount shall be deducted from his wages by the paymaster. Each laborer should compare his own book with that of the storekeeper whenever a purchase is made and thus avoid the possibility of mistakes.

VI. Laborers must demand their provision or supply bill each month at least one day before pay day in order that any irregularity may be corrected before payment. No corrections will be made thereafter. Bills must be presented to the paymaster for approval.

VII. No fee or money shall be paid by any laborer to any person in my employ or under my control except at my office, and then the charge shall be a nominal one, merely to cover the expenses of transfer of baggage and the expenses of my representatives which are necessary in taking charge of gangs to and from the works. This fee shall be known as the assistant overseer's and clerk's charge for expenses.

VIII. Laborers are required to pay a fee (which will be agreed upon) per month as rent for his lodging in the shanty, building, or for which charge shall include oil, salt, and lamps.

Any laborer leaving the shanty or car and selects another place to sleep will be compelled to pay the rent, \$1 per month. If he does not obtain any provisions from me, he is compelled to pay from \$1.50 to \$2 per month. If a laborer leaves the car or shanty, he must state a reason for doing so, and if he can give a good cause I will see that a satisfactory arrangement will be made.

IX. Laborers are strictly forbidden to pay cash for any articles obtained from my storekeepers. Each laborer will be provided with a book upon which his account shall be entered, item by item, thus avoiding the possibility of overcharge or mistakes of any kind. Any violation of this provision must be immediately reported to me.

X. Laborers are forbidden to loan money to storekeepers or to any other person employed by or representing me or to foremen or others employed by the company.

XI. Storekeepers shall keep all bags containing provisions and return the same to me or to my representative at the depot as soon as practicable. Storekeepers will be held personally responsible for all bags not returned and for all goods shipped to or received by them or on their behalf. If not fully accounted for, the value of the shortage discovered will be deducted from their wages. All provisions must be fresh and fit to dispose of; otherwise they should be returned at once.

XII. Laborers who quit work of their own accord will be required to wait for their pay until the regular pay day unless such laborer or employee shall obtain the time or work slip and surrender the same to me in order that it may be proved and certified by the superintendent, whereupon such laborer or employee after such certification only shall become entitled to his pay, and the same may be paid by me immediately or at my discretion; but laborers discharged for inability or sickness may request their time from the foreman, and after such certification will receive their pay without delay. No person, however, who shall quit work, leave, or who shall be discharged shall be entitled to receive his pay unless his rule book be first surrendered to me or to their paymaster.

XIII. Laborers are forbidden to board cars unless accompanied by my representative provided with transportation. A disregard of this rule will necessitate the paying of their own fare. I will not be responsible if any man is ejected from the train when unaccompanied and without transportation.

XIV. Laborers coming to New York on Saturday nights must report at my office Sunday evening at 5 p. m., when they will be accompanied to the works by my representative with transportation, if not they will be required to pay their own fare. The object of this is to secure the laborers' presence on the works Monday mornings.

The company is not compelled to transport free of charge; they do this for the accommodation of the laborers, and this privilege shall be accorded them only in cases of sickness, accidents, business calls, or difficulties, and then only when in my discretion I may deem it necessary, and I reserve the right to suspend this rule at any time without notice.

XV. Number or checks issued to laborers are not transferable, and each laborer must draw his own money. Such checks, if presented for payment by any person other than the laborer who performed the services, will be taken up and payment refused except to the person who performed the work.

XVI. Any laborer feeling aggrieved may, by a complaint in writing directed to _____, _____, _____, have his complaint against the storekeeper or other person thoroughly investigated, and justice done in the premises.

XVII. Any laborer making a charge which subsequently proves to be false and without foundation will be immediately dismissed; but if such charge be true, the storekeeper or other employee complained of will be fined, suspended, or dismissed.

XVIII. Laborers discharged by section bosses or others without serious cause will be reinstated if practicable or transferred by me to other work, in order that the best interests of the laborers may be served.

It is my wish, however, that when a laborer is discharged his fellow-workmen continue work, and they may feel assured that their fellow-workman's interests will be taken care of by me, and thus all "strikes" can be avoided.

XIX. Each man must show his number to his foreman every day to avoid mistakes, and no man will be allowed to go from one foreman to another without the consent of myself or my authorized assistant overseer.

XX. This book with corresponding name and number is absolutely not transferable.

A strict compliance with these rules and regulations will insure justice to all, and a friendly, amicable relation between the laborers under my control and myself.

When men leave the service of the company or are discharged they must not leave their identification numbers, for the collection of their wages, to any one, but they must collect their wages themselves.

XXI. It is distinctly agreed by the laborer whose name is signed to this book that any moneys which may be laid out and expended at said laborer's request for his benefit by _____ shall be deducted from any moneys coming to the said laborer.

XXII. I agree that the value of the provisions and other goods supplied to me by _____ shall be deducted from the pay roll by the company.

XXIII. Should a laborer not surrender this book when quitting service, he will forfeit and pay 25 cents.

Company.

I hereby agree to abide by the foregoing rules and regulations, and accept them as part of my contract to work.

New York, _____, 190—.

Laborer.

Signed in presence of—

Witness.

RULES FOR STOREKEEPER.

NEW YORK, _____, 190—.

I, _____, hereby agree to take charge of the store entrusted to my care and do my full duty as a storekeeper, keeping proper books of account, showing sales and balance of merchandise on hand each day, with a monthly salary of \$_____, and be responsible for all goods delivered to me by _____ or by his representative, and promise to return all goods consigned to me or pay the amount of said goods, deducting it from my salary, or otherwise.

I also agree that _____ shall retain one month and a half of my salary, as security for my due performance of all my duties, which salary shall be paid to me on leaving service and soon after a proper inventory has been taken in the store entrusted to me, and to give _____ time to make out my inventory and see that my accounts are correct.

I shall also diligently attend to:

(a) Sending all empty bags, as soon as I have over ten.

(b) Send receipts for bread received every three days.

(c) And to send receipts for all goods sent to me, as soon as received.

(d) If a laborer is discharged or leaves the service of the company, storekeeper is compelled to send board bill of the man to _____ office immediately, and also give the man who leaves a copy of it.

In case I fail to correctly observe the above rules I agree to pay such fine as the office will impose on me.

I also agree never to leave, on any circumstance, the store under my care without a special permit from _____, and if I fail to comply with this provision I agree to forfeit to and pay \$_____ pay a fine of \$_____, besides all damage that might arise from my not complying with this rule.

When I leave service, all my wages and arrears due to me shall be paid to me in _____ office, _____ street, _____.

The rental of a shanty at \$1. per month, with a low rate for lodging, heat, and light to each man, is the most profitable part of the commissary system. The buildings, or shanties as they are called, are wooden structures and built upon the land of the railroad company

free of land rental. They are well constructed and comfortable as a rule. They are frame buildings, with tongue and groove boards, covered with tar or building paper. Another layer of tongue and groove boards is laid over the paper, with additional wooden strips over the seams on the outside. The dimensions of one of these shanties is as follows: 35 feet long by 14 feet wide, 8 feet in height at side to slope of roof, and 16 feet high in the center. Twenty bunks are built in two tiers, one bunk to each man; each bunk is 7 feet long. There are six windows, four of them 18 by 20 inches each and two of them 18 by 24 inches. The door is 30 inches wide and 75 inches high. There is one heating stove, which is also used for cooking purposes. Another of these shanties, occupied by twenty-eight men, is 52 feet long by 18 feet wide, 12 feet high to slope of roof, being higher in the center. There are two tiers of bunks, each bunk 7 feet long. The room is 7 bunks long.

The following table shows the prices charged for certain articles of food at a railroad padrone commissary, at an Italian independent commissary recommended as selling at fair prices where freight and other charges are added, at regular retail stores in New York City, and at a model camp at Pittsburg, all in 1906, and also at a padrone camp near New York City for the year 1897:

PRICES OF COMMODITIES CHARGED AT VARIOUS COMMISSARIES IN 1897 AND 1906.

Article.	At railroad padrone commissary 100 miles and over from New York City, 1906.	At regular Italian independent commissary over 50 miles from New York City, 1906.	At regular Italian retail stores in New York City, 1906.	At padrone camp near New York City, 1897.	At model camp at Pittsburg, 1906.
Bread, per 1½-lb. loaf.....	\$0.08	\$0.09	\$0.06	\$0.10	\$0.08½
Macaroni, imported, per lb.....	.08	.10	.07	.....	.10
Macaroni, domestic, per lb.....	\$0.06-.07	.06	.05	.10	.06
Sausage, bologna, imported, per lb.....	.....	.32	\$0.25-.34	.....	.....
Sausage, bologna, domestic, per lb.....	.18	.16	.16	.....	.16
Cheese, imported, per lb.....	.34	.36	.32	.....	.35
Tomatoes, per 2-lb. can.....	.14	.12	.12	.....	.12
Fatback (for lard), per lb.....	.12	.16	.10	.20	.12
Codfish, salt, dried, per lb.....	.12	.....	.08	.10	.....
Corned beef (Veribest), per 1-lb. can.....	.14	.15	.14	.....	.....
Beans in bulk, per lb.....	.06	.05	.....	.....	.05
Peas in bulk, per lb.....	.06	.....	.....	.....	.....
Sardines, domestic, per box.....	.07	.05	.05	.....	.05
Lentils, imported, per lb.....	.10	.....	.09-.10	.....	.....
Rice, per lb.....	.10	.....	.10	.....	.....
Tea, per lb.....	.35	.36	.....	.....	.....
Coffee, per lb.....	.30	.....	.....	.....	.....
Sugar, per lb.....	.08	.06	.06	.....	.....
Cheese, domestic, per lb.....	.....	.....	.20	.25	.....

The prices charged at the commissary stores in 1906 of a padrone railroad labor agent on the line are as follows:

PRICES CHARGED AT COMMISSARY STORES OF PADRONE LABOR AGENT IN 1906.

Article.	Unit.	Price.	Article.	Unit.	Price.
Bread.....	1½-lb. loaf...	\$0.08	Sausage, bologna, im-	Pound.....	\$0.24
Macaroni, domestic...	Pound.....	.06	ported.		
Macaroni, imported ..	Pound.....	.08	Corned beef.....	1-lb. can....	.15
Cheese, imported.....	Pound.....	.34	Codfish, dried.....	Pound.....	.10
Sardines.....	Box.....	.05	Fatback (for lard)...	Pound.....	.12
Tomatoes.....	2-lb. can....	.12	Sugar.....	Pound.....	.06
Beans, loose.....	Pound.....	\$0.05-.06	Soap.....	Cake.....	\$0.03-.05
Sausage, bologna, do-	Pound.....	.14	Smoking tobacco.....	Package....	.05
mestic.			Overalls.....	Each.....	.50
			Jackets.....	Each.....	.50

Upon another line of railroad a padrone agent having the employment agency and commissary privilege employs twenty-five store-keepers. He ships and sells weekly to the Italian laborers at the commissaries on the road the following quantities and at the prices named:

QUANTITY AND PRICE OF COMMODITIES SOLD PER WEEK TO ITALIAN RAILROAD LABORERS BY PADRONE COMMISSARY AGENT.

Article.	Unit.	Price per unit.	Total quantity sold.
Bread.....	1½-lb. loaf.....	\$0.08	7,000 loaves.
Macaroni.....	Pound.....	.07	350 25-lb. boxes.
Fatback	Pound.....	.12	2,000 pounds.
Sugar.....	Pound.....	.09	1,200 pounds.
Corned beef, canned.....	1-lb. can....	.16	12 cases 1-lb. cans.
Sardines.....	Box.....	.07	12 cases.
Beans.....	Pound.....	.06	25 bushels.
Sausage, bologna.....	Pound.....	.18	700 pounds.
Cheese, imported.....	Pound.....	.34	450 pounds.
Macaroni, chopped (pasta).....	Pound.....	.07	6 barrels.
Tea.....	Pound.....	.35	60 pounds.
Coffee.....	Pound.....	.30	75 pounds.
Soap.....	Cake.....	.05	5 cases.

In addition to the above, quantities of tobacco, overalls, and shoes were sold.

At some points on the different lines of railroad the railroad companies supply the shanties or box cars fitted up with bunks. No rent is charged for these, but the padrone in such cases keeps them in order, and furnishes lamp oil, brooms, stove, fuel, etc., and for this service a charge of 50 cents per man per month is made.

A system slightly different from others is one where in addition to each man having a book in which is entered the article and the price when he buys goods at the store, a card is hung up at the end of the month showing the amount of each man's bill for the month, before it is sent to the pay officers of the railroad company. This is one of the reforms adopted by direction of the company.

At a padrone camp in New Jersey (not connected with railroads), on October 22, 1906, the following prices were charged to the Italian laborers employed:

PRICES AT A PADRONE LABOR CAMP IN NEW JERSEY, OCTOBER 22, 1906.

Article.	Unit.	Price.
Bread.....	1½-lb. loaf...	\$0.09
Macaroni, domestic.....	Pound.....	.06
Sausage, bologna, domestic.....	Pound.....	.15
Sardines.....	Box.....	.05
Cheese.....	Pound.....	.25
Tomatoes.....	Can.....	.12
Potatoes, white.....	Pound.....	.02
Beer.....	Pint bottle.....	.06
Smoking tobacco.....	Package.....	.06

The employment fee for work at this camp was \$1 per man. The railroad fare was advanced and was deducted from the wages, which were \$1.50 per day of ten hours. The shanty was two stories in height, the first story being for the use of the foreman, and the rent was \$1 per month for each man. The second floor was 25 by 35 feet and occupied by thirty-two men, who slept on straw thrown on the floor; some men had their straw in mattresses or ticking, and those who had no blankets were obliged to sleep in their clothes. The shanty was built of one thickness of boards, and had large cracks in the side; the roof was made of boards and leaked very much when it rained. The place was dirty and wet, with straw all over the floor, and it looked like a stable. The men cooked their meals outside in the open air. This is descriptive of conditions where employment is of a temporary character and not on regular railway systems. On the latter, carpenters and painters now keep the shanties in repair at the expense of the padrone.

CONDITIONS IN INDEPENDENT ITALIAN LABOR CAMPS NOT CONTROLLED BY PADRONES.

Before entering upon the investigation of the condition of Italian laborers employed upon railroads and by contractors where the padrone furnishes the men and sells them their supplies, a visit was made to an Italian labor camp not under the control of a padrone.

The employer in this case was carrying on a work of construction which was to continue two years or more upon his own property, in a rural community and distant from any city. He was a fair employer and liberal to his employees. The Italian laborers employed were sent by an Italian immigrant protective society from New York City.

No fees were charged either to the laborers or employer for securing the employment.

The employer paid the laborers 10 cents per day more than the prevailing rate of wages and for a nine-hour day, which was one hour per day less than the prevailing workday. Being desirous of gratifying the wishes of the men with regard to the Italian manner of living, he built a wooden structure for their accommodation and turned over a part of it to an Italian to use as a commissary for the supplies purchased by the men. This man was recommended by the society and well and favorably known to the men. The employer had nothing whatever to do with the purchase or sale of the supplies, nor any participation in the profit. The purchase, sale, and profit were turned over to the Italian in charge of the commissary. The men paid \$1 per month for the use of the building, or "shanty," as it is called. The men could live where they pleased, and some of them lived with their families in the villages near by. There was a total of 135 men, nearly all Italians, and of these 48 Italian laborers and 16 Italian mechanics purchased all of their food supplies at the commissary and slept in the shanty. Many of the others purchased food at the commissary for the noonday meal.

The shanty was a wooden structure, 90 feet long by 24 feet wide, and about 20 feet in height. The boards were covered with tar paper and tongue and groove boards over that, with strips nailed over the seams. The structure was divided into three apartments. To the commissary was assigned 12 feet by 24 feet, to the mechanics 39 feet by 24 feet, and to the laborers 39 feet by 24 feet.

In the room of the mechanics there were 16 cots in one tier. The mechanics supplied their own beds and bedding. In the room for the laborers were 48 cots, one for each man, in two tiers. The men supplied their own bedticks and bedding, straw being furnished free. There was a large stove in each room for cooking and heating purposes in cold weather. In summer the cooking and eating were done outdoors, each man or two to four men cooking the evening meal on fires built about stones conveniently arranged. Here, as elsewhere, there was no arrangement or desire to cook or eat in one mess composed of all the men.

Most of the laborers sat on the ground while eating, although some rough tables and benches were provided outdoors. Articles of clothing were not sold at the commissary, but were bought in the near-by villages. The variety of the food purchased by the mechanics was greater and the quality better than that purchased by the laborers. The former used the more expensive imported articles to a considerable extent. The laborers, as a rule, abstained from the purchase of wines, liquors (except beer), and cigars on sale at the commissary. The majority of the laborers used at least 1 pint bottle of beer per day at mealtime. The lowest expenditure for food and tobacco for laborers was \$6; the highest, \$11, and the average, \$9 per month.

Twenty of the laborers, principally Sicilians, expended \$8 per month. This did not include rent of shanty. The mechanics spent from \$5 to \$10 per month more than the laborers.

The articles kept on sale at the commissary, with prices the men were charged for them, were as follows:

PRICES CHARGED AT INDEPENDENT ITALIAN LABOR CAMP.

Article.	Unit.	Price.	Article.	Unit.	Price.
Bread.....	1½-lb. loaf.....	\$0.09	Tea.....	Pound.....	\$0.36
Macaroni, domestic.....	Pound.....	.06	Sugar, lump.....	Pound.....	.06
Macaroni, imported.....	Pound.....	.10	Beer, from kegs.....	Pint bottle..	.05
Sausage, domestic.....	Pound.....	.16	Whisky.....	Drink.....	.10
Sausage, domestic.....	Pound.....	.24	Whisky, bottled brands..	Drink.....	.15
Sausage, imported.....	Pound.....	.32	Wine, claret, California..	Quart bottle..	.25
Cheese, domestic.....	Pound.....	.32	Wine, claret, imported	.....	.40
Cheese, imported Roman..	Pound.....	.36	Italian.		
Corned beef, canned.....	1-lb. can.....	.15	Anisette, liquor.....	Drink.....	.10
Sardines, domestic.....	Box.....	.05	Soda water.....	Small bottle..	.05
Salmon, canned.....	Can.....	.15	Soda water.....	Large bottle..	.10
Fatback.....	Pound.....	.16	Salt.....	.....	Free.
Bacon.....	Pound.....	.16	Garlic.....	.....	Free.
Milk, condensed.....	Can.....	.10	Tobacco, smoking.....	Package.....	.05
Tomatoes, canned.....	Small can....	.08	Tobacco, mixtures for	Package.....	.05
Tomatoes, canned.....	2-lb. can.....	.12	cigarettes.		
Potatoes.....	Pound.....	.03	Cigarettes.....	Package.....	.05
Beans, baked.....	Can.....	.10	Cigarettes, Turkish.....	Package.....	.10
Beans, white.....	Pound.....	.05	Cigars.....	.....	\$0.05-.10
Onions.....	Pound.....	.05	Corncob pipes.....	.....	.05
Coffee, whole, roasted....	Pound.....	.20	Matches.....	.....	Free.

No record was kept of the kind, quantity, or price of the articles sold to the men. Wages were paid twice a month. A number of printed pasteboard checks were kept on hand by the storekeeper or commissariat, with his name on each. These were of various denominations, from 1 cent upward. Each man, instead of paying cash, bought one or more dollars' worth of these checks. The amount of one or two dollars was charged against him on the books and on pay day the amounts charged were paid up. As there were no lockers or places for keeping the food excepting at the commissary, food purchases were made every day, and often at every meal, and paid for with the pasteboard checks. Some articles, such as coffee, might be carried over for a day or more. The following were the actual purchases of supplies for one day of 38 Italian laborers at this camp:

One day's food purchases by 38 laborers.

- 33 loaves of bread, 1½ pounds each.
- 21 pounds of macaroni, domestic.
- 7½ pounds of bologna sausage, domestic.
- 5 pounds of cheese, domestic.
- 11 boxes of sardines, 5-cent boxes.
- 4 cans of baked beans, 2-pound.
- 13 cans of tomatoes, 2-pound.
- 17 pounds of potatoes.
- 12 pounds of onions.
- ¾ pound of bacon.
- 7¼ pounds of fatback (substitute for lard).
- ¼ pound of coffee.

- 5 cans of corned beef, 1-pound.
- 27 bottles of beer (pints).
- 13 glasses of California wine.
- 6 bottles of soda water.
- 3 purchases of olives, 5 cents' worth each.
- 10 packages of smoking tobacco, in addition to food purchases.

The expenditure for food at this independent camp is much greater than at the padrone camps engaged on railroad construction and repair. This is owing to the greater variety and to the use of beer and wine with their food. The sale of beer is not allowed at commissaries on the various lines of railroad.

Near Pittsburg, Pa., a general contracting company is engaged in a great work of construction, employing 1,200 men, 600 of whom are Italians. The work will require three years for completion. One of the members of the firm is an Italian. A commissary has been established where the Italians purchase their food supplies, doing their own cooking in the customary way, out of doors, during the summer and fall months. For the other laborers of miscellaneous nationalities a boarding camp with a common table for all has been in operation. Cooking sheds of corrugated iron have been erected and cooks supply three hot meals a day to the miscellaneous body of laborers, the price for boarding and lodging in 1906 being \$4.50 to \$5 per week. The whitewashed shanties for sleeping purposes are arranged in street formation and are substantial and comfortable. Stationary tables are built here and there at which the laborers eat.

Through the influence of the Italian member of the firm a school of instruction in reading and writing in English has been established at the camp and eagerly made use of by a large number of the men who are immigrants from southern Italy—Calabria, Basilicata, and the Abruzzi. The wages paid to the laborers range from 15 to 17½ cents per hour for a ten-hour workday. The expenditure of the Italian laborers for food alone is from \$8.50 to \$10 per month.

The prices charged at the commissary to the Italian laborers are as follows:

RETAIL PRICES OF FOOD AT ITALIAN LABOR CAMP, PITTSBURG, PA.

Article.	Unit.	Price.	Article.	Unit.	Price.
Bread.....	1½-lb. loaf.....	\$0.085	Fatback (for lard).....	Pound.....	\$0.12
Macaroni, domestic.....	Pound.....	.06	Sardines.....	Box.....	.05
Macaroni, imported.....	Pound.....	.10	Tomatoes.....	3-lb. can.....	.12
Beans, lima.....	Pound.....	.05	Canned roast beef.....	1-lb. can.....	.15
Cheese, imported Roman.....	Pound.....	.35	Coffee, ground, roasted..	Pound.....	.20
Bologna sausage, domestic.	Pound.....	.16	Tea.....	3-oz. package..	.10
			Beer.....	Pint bottle...	.05

The bill of fare of the Italians is as follows:

Breakfast: Bread, coffee.

Noon dinner: Bread, cheese or sardines or sausage, tea or coffee.

Supper: Macaroni (cooked separate), a little fresh meat for stew or gravy, potatoes, cabbage or beans, and a bottle of beer.

In the foregoing instances the Italian laborers were encouraged to consume more food than they had been accustomed to. The purpose of this was to give them greater bodily strength for the labor they are required to perform in the United States. In Italy their wages as agricultural laborers were very low and in the mild climate of that country the methods of labor were easy-going and the required labor not of a strenuous character. In 1880 the food of agricultural laborers "in the districts of Como, Milan, Pavia, and Lodi consisted of maize bread, badly cooked, heavy, and rancid, and thin soup of rice or 'pasta' of inferior quality, and vegetables often cold and spoiled." "In southern Italy," says Villari, "the peasants live in miserable houses, with a sack of straw for their bed and black bread for their sole sustenance." These statements relate to the years immediately preceding 1880. "Maize (Indian corn) was used generally in the northern and central Provinces, rarer in Tuscany and Rome, widely diffused in the upper Provinces of Naples, only a fourth of the communes in Calabria and Apulia, and none at all in Sicily." "But little wheat bread in Lombardy, Venetia, Emilia, and the Marches." Barley bread used "mostly in Apulia and Calabria, rye in Sicily and Lombardy, acorns in the Marches and Abruzzi. Animal food holds but little place in the dietary of the poor, and even in the houses of the well-to-do peasant butcher meat appears but seldom. Sardinia is where animal food is mostly used and Sicily where it is least used."

While conditions have greatly improved in Italy since the period referred to, it is the opinion of every contractor and employer of Italian labor interviewed by the writer that most of our Italian laborers were raised upon insufficient food and do not consume enough in the United States.

The character of the present-day dietary in Italy is indicated in the reports of the United States consuls. The consul at Catania, 1906, states that "the native laborer must live on cheap bread, macaroni, native wine, and fruits," and the consul at Venetia says that "the principal articles of food in an artisan's family consists of 'polenta,' a sort of solid porridge or hasty pudding made of maize or Indian corn, potatoes, beans, and bread. Wine is the beverage of all the people."

Contractors have in many instances complained of the lack of strength of the Italian laborers in the United States and have attributed it to insufficient food. The general manager of the leading contracting company in the Southern States, writing from Tennessee, says: "The main trouble with the Italian is that he does not eat enough to furnish him the proper nourishment needed in the work. Of course, if a man is not properly fed he can not do a good day's

work." Commenting on a physician's report on the subject, a New York newspaper in November, 1906, says:

Very singular and pitiful is the report made by Dr. ———, of this city [New York], to the tuberculosis congress held in Milan recently on the condition of the Italian laborers in this country. He found a marked physical deterioration among them and endeavored to learn the causes. He found them, first, in the miserable tenement districts inhabited by many Italian laborers in the large cities, and next in voluntary deprivation of nourishment. In their own country the Italians live largely in the open air; therefore the slums of the cities hurt them little, and their simple method of country life hardens them. In our climate they are forced to live one-half the year in stuffy homes. With their native method of labor, easy-going as it is ill paid, they require no more than light food; here, with our methods, they need the solid food of the average American.

But Italians do not change their home habits. Most of them eat only a roll with coffee for breakfast, and at lunch take a saloon free lunch with beer, taking their best meal in the evening. With this slender fare they can not maintain their strength, and soon sink into the anæmic condition which precedes consumption. It is almost useless to point out to them the necessity of more food to meet the harsher climate and heavier work of this country. They have come here to earn and to save money, and save it they will at the expense of health and life.

While there are instances tending to confirm this view, it must be said that the mass of Italian laborers in the United States consume a greater quantity and variety of food than they consumed in Italy, and it is of superior quality. It is true, however, that the quantity and variety of food of the Italians in the United States and its cost are below that of other European immigrants and much below the American standard of living or food consumption.

An instance where quantity and cost were injuriously low is shown in the following: A New York City contracting firm in the summer of 1905 employed 500 Italian laborers, mostly Sicilians. The wage rate was \$1.75 per day. The firm established a commissary for them, supplied with articles of food preferred by Italians, such as macaroni, cheese, bologna sausage, etc., in addition to other things. More than 400 men out of the 500 expended not to exceed \$4 per man per month for food. They lived on bread and onions and 2 or 3 boxes of sardines per week. They did not buy or use macaroni, cheese, sausage, or other foods.

The work was hard, and many of them became sick or were unable to work. It became unprofitable to run the commissary and the work was abandoned temporarily, owing to the unfitness of the workers.

Contracting companies engaged on railroad construction and similar undertakings during the past two years or more have been complaining of the shortage of laborers, and have been employing men of every available foreign nationality and all native-born laborers presenting

themselves. In most cases the work has been carried on at places where there are no accommodations for the boarding and lodging of the workmen. For this reason a well-equipped boarding camp is as much a necessity for a contracting company as the picks, shovels, and machinery for doing the work. Many railroad companies as well as contractors have regular boarding trains for such purposes, and this has been the custom in one form or another for fifty years or more. In constructing new lines of railroad, grading, bridging, tunneling, etc., and before track is laid or trains run, it is necessary to build kitchen, dining room, and bunk houses. A manager, cooks, waiters, fuel, light, etc., and provisions must be furnished. Long tiers of roughly made tables with benches are provided in a roughly built dining room where the three meals a day are served.

A fixed charge is made for the boarding and lodging per week of each man. At this table, common to all, the unskilled immigrant laborers of all European nationalities, excepting the Italian, come into close personal contact with their first Americanizing influences. This system and its influences is more common and stronger in the Middle Western and Northwestern States than elsewhere. The Swede, Norwegian, Finlander, German, and Slav rub elbows for the first time with the American born and foreign born of the English-speaking races at the eating tables of the boarding shanty, and it is there that their knowledge of the common language is first acquired—somewhat more picturesque than accurate, but it serves.

In the lumber camps, the coal mines, and the railroad camps, this getting together, amalgamation, and assimilation go on every day. The Italian laborers, however, are not brought into contact with these Americanizing influences, rude as they may be. In all cases the railroad and contracting companies are required to provide separately for the Italian laborers. It is made one of the conditions of employment of Italian laborers that a commissary be established at the labor camp for the sale of the articles of food preferred by them, each man eating and cooking in such fashion as may suit him. Unlike other races, they do not select a cook from among their number or otherwise to furnish meals at a common table.

The padrone encourages this method on account of the profits he realizes from the sale of the food, and also because through this system he is continually in touch with his countrymen and can control their movements and employment. When work ceases at one point and with one employer, he can transfer them to another and make a profit in the fee for each man. The Italian laborer himself insists upon the commissary system because he can live cheaper this way even if the articles are sold him by the most unscrupulous padrone.

Every agency friendly to the Italian encourages him in his method of living. All of the Italian societies that secure employment for the

Italian laborer and protect him from the swindling of the padrone and others, insist at the same time upon the establishment at labor camps of the commissary or store for the purchase of food supplies and his own methods of cooking. It is made one of the conditions of employment by them as well as by the padrone. All they ask is that an honest man have charge of the store who will not overcharge the men. No encouragement is given the Italian laborers from any source, good or bad, to sit and eat at the boarding camps or boarding houses and take "pot luck" with the men of all other nationalities.

The Labor Information Office for Italians, in New York City, which is doing a great deal that is good for the Italian laborer, and was organized for the purpose of "preventing the abuses of the padrone system" and of "better distributing Italian immigrant labor," free of all cost to the laborer or employer, tacitly encourages the commissary system of segregation and separation by urging the employer to provide the raw foods for sale at or near the work at fair prices.

The reason given for the existence of the Italian commissary is that the Italian insists on having the food of his own country. As a matter of fact, as is shown elsewhere in this article, the southern Italian laborer in his native land did not use as part of his daily food the articles he buys at the Italian commissary here and uses daily, not even the same kind of bread and macaroni, which are here made of American flour, and readily obtainable. In Italy the Italian laborer did not buy or use sausage, cheese, sardines, lard, canned corned beef, canned tomatoes, baked beans, sugar, coffee, tea, or beer. He buys these articles here at the commissary, and many use them daily, if meagerly. They are all, except tea and coffee, American products. The Italian laborer avoids Italian imported articles on account of the higher cost.

The theory that the Italian laborer must have the food and cooking peculiar to Italy is disproved by the fact that in emergency cases, when a railroad company finds it necessary to assemble a body of Italian and other laborers quickly at some given point accompanied by its own boarding cars, and supplies free meals of soups and roasted and boiled meats in the usual American style, the Italians are among the heartiest and most appreciative consumers. The fact that the Italian laborer has abandoned wine and taken to beer is another illustration of this fact. German laborers of former years brought food preferences with them, which, in the boarding camps of the United States, had to be ignored in order to meet the general requirements of all hands for uniform muscle-producing foods. It will be seen further on in this article that the simple fare of labor camps of former years, consisting mainly of bread, pork and beans, vegetables, and coffee, has given way to a much more elaborate one.

From a prominent contracting company engaged in railroad construction and other work in several States, the result of an investigation into the cost of living of its laborers of various nationalities has been secured. This company employs laborers of all nationalities, including large numbers of Italians. The good qualities of the Italian as a laborer are fully appreciated by this company and its superintendents. The company established in the Northern and Southern States boarding camps for laborers of miscellaneous nationalities and commissary stores for the Italian laborers. To arrive at the cost per man at the boarding camps, the actual cost of the groceries, meats, eggs, fish, etc., for a given period was taken, and found to be—

For groceries and provisions.....	\$1, 371. 14
For cook, waiters, fuel, light, and miscellaneous camp charges.....	625. 00
Total.....	1, 996. 14

During the period there were served 10,482 meals, making an average cost of 19 cents per meal, which is equal to \$3.99 per week, practically \$4. Included in the number of meals and cost per meal were free meals to cook and waiter, timekeepers, and some foremen. The men were charged \$18 per month for board and lodging.

The Italians at the camps lived mostly on macaroni, sausage, cheese, sardines, and bread. Macaroni and bread were the staples, the sausage, sardines, and cheese being used interchangeably—that is, if a man has sardines he does not have any sausage, etc. The average monthly expense of the Italian laborer was as follows:

Twenty-five loaves of bread, at 8 cents.....	\$2. 00
Thirty pounds of macaroni, at 7 cents.....	2. 10
Sausage, sardines, and cheese.....	1. 50
Lard.....	. 30
Total for food	5. 90

Most of the Italians, in addition to the above, spent an average of \$3 per month for beer, cheap cigars, or tobacco, which, with the expense of \$1 per month for shanty rent, brings the total cost of living per man to \$9.90 per month.

The comparative cost of food and lodging at this camp per man per month was—

For miscellaneous laborers at boarding camps.....	\$18. 00
For Italian laborers.....	6. 90
Difference	11. 10

The bill of fare at the boarding camps for two typical days in 1906 was as follows:

Friday.

Breakfast: Oatmeal, ham, fried eggs, potatoes, bread and butter, coffee, cake.

Dinner: Roast beef, canned salmon or fried or boiled herring, potatoes, beans (lima), tomatoes, bread and butter, coffee, pie.

Supper: Cold beef, codfish cakes, potatoes, peas, corn, bread and butter, cake, tea.

Saturday.

Breakfast: Oatmeal, beefsteak, potatoes, bread and butter, coffee.

Dinner: Roast pork, potatoes, cabbage, onions, bread and butter, bread pudding, coffee.

Supper: Boiled ham, potatoes, tomatoes, bread and butter, cake, apple sauce, tea.

At one of the camps of this northern contracting company in a border Southern State, 5,644 meals were served, the cost of groceries and provisions to the company for these meals being \$917.52, not including the wages of cook and waiters, fuel and lighting, or other miscellaneous expenses or value of equipment. This was in the month of November, 1906. The charge for board and lodging at this camp was \$4 per week, the laborers that paid this rate being men of miscellaneous nationalities.

The Italians at this camp did not take their meals at the boarding camp. A commissary and sleeping shanties were provided for them. One dollar a month was charged them for shanty rent, including light and fuel. They purchased their provisions at the commissary. From the commissary sales it was found that their average expenditure per man was \$7.36 per month for provisions and sundries, including tobacco, beer, etc.

The bill of fare at this boarding camp for two days in the month of December, 1906, was as follows:

Friday, December 7.

Breakfast: Ham and eggs, buckwheat cakes, German fried potatoes, butter, sirup, "force," ginger drops, cakes, stewed peaches, coffee.

Dinner: Roast beef, brown gravy, boiled potatoes, stewed tomatoes, green peas, salmon salad, bread, butter, pumpkin pie, coffee.

Supper: Beef liver, German fried potatoes, green peas, stewed tomatoes, salmon salad, bread, butter, cheese, stewed peaches, ginger drop cakes, coffee, tea.

Saturday, December 8.

Breakfast: Pig sausage links, German fried potatoes, buckwheat cakes, butter, sirup, oatmeal, canned peaches, vanilla cake, coffee, tea.

Dinner: Roast beef, brown gravy, stewed potatoes, turnips, hot slaw, peach pie, bread, butter, coffee.

Supper: Steak, boiled potatoes, hot slaw, turnips, bread, butter, vanilla cake, apple sauce, coffee.

FOOD STANDARDS OF LABORERS OTHER THAN ITALIANS.

Before entering into the minute details of kind, quantity, and cost of food, and of clothing and lodging of Italian laborers at the padrone commissary camps, it is desirable to present the accepted food standards and the cost and method of living of laborers and others in various parts of the country of American and foreign birth, other than Italian.

At the session of the United States Congress beginning in December, 1905, instructions for the kind of ration to be served to the enlisted men on the warships of the American Navy were enacted into law. The purpose of this act was to preserve the health and strength of the men, by furnishing them food sufficient in kind and quantity. A specimen bill of fare served to the enlisted men on a United States battle ship, and prepared in accordance with the Navy ration prescribed by Congress, is as follows:

Breakfast: Baked beans, tomato catsup, bread, butter, coffee.

Dinner: Roast beef, brown gravy, string beans, sweet potatoes, cottage pudding, vanilla sauce, bread, coffee.

Supper: Cold boiled ham, canned peaches, bread, butter, tea.

This, of course, varies from day to day.

In the Middle Western and Northwestern States railroad companies in former years, in construction work, furnished each its own boarding train and boarding boss, for the care of its workmen. This has given way to the formation of independent boarding and supply companies which contract with several railways for the board of the men at fixed rates. One of these companies has its headquarters at Chicago, Ill.

In October, 1906, this company was operating forty boarding camps on five of the principal lines of railroad radiating from Chicago, through Illinois, Indiana, Michigan, Wisconsin, and Minnesota. Fifty men was the average number of laborers at each boarding camp. They were all English speaking, although many were foreign born. There were no Italians. On railroad construction work the number of cars used in housing and feeding the men is as follows for a gang running from 30 or 40 up to 150 men:

One kitchen car.

One dining car for each 28 or 30 laborers.

One store car to carry groceries, meats, and vegetables.

One office car, in which is carried a stock of tobacco, shoes, clothing, etc., for the convenience of the laborers.

One foreman's car, for himself, assistants, and timekeeper, for their dining and sleeping room.

One bunk car for each 14 to 16 laborers.

The railroad company furnishes the cars, constructs the bunks, the dining-room tables, shelves in the kitchen, etc. The railroad company also furnishes coal and water, transportation for help and sup-

plies, and a baggage car privilege for perishables. The boarding and supply company furnishes all kitchen utensils, mattresses, blankets, pillows, and all the equipment that goes to make up an outfit. The rate charged to the laborers is \$4 per week.

The bill of fare for two typical days in the week is as follows:

Sunday.

Breakfast: Oatmeal, ham and eggs, muffins, fried potatoes, stewed peaches, hot cakes, coffee.

Dinner: Soup, chicken, roast beef, mashed potatoes, string beans, corn fritters, apple pie, cheese, pudding, coffee.

Supper: Cold roast beef, hot wienerwurst, potato salad, hot waffles, stewed prunes, assorted cakes, tea.

Monday.

Breakfast: Oatmeal, sausage, fried potatoes, evaporated apricots, hot cakes, coffee.

Dinner: Soup, roast mutton, beef hearts, boiled potatoes, macaroni and tomatoes, boiled beans, peach pie, tapioca pudding, coffee.

Supper: Beefsteak, hot biscuits, hashed brown potatoes, tomatoes, cucumbers, baked beans, cake, pears, tea.

Another company operating similar boarding camps in West Virginia, in the month of October, 1906, had its cars arranged as follows: Two sleeping-bunk cars, 1 dining car, 1 kitchen car, and 1 office car. Each bunk car had 8 double bunks in two tiers for 16 men, the dimensions of each bunk being 6 feet 4 inches long by 4 feet 2 inches wide, each bunk supplied with a good mattress and 2 double pairs of blankets. There were four windows in each car, a bench, a heating stove, two sliding doors, one on each side, with a ladder on one side. The rate for board was \$3.50 per week.

Bills of fare for a typical day in two separate camps of this company are as follows:

CAMP 1.

Breakfast: Oatmeal, fried potatoes, fried ham, corn beef hash, griddle cakes, bread, butter, coffee, milk, and sugar.

Dinner: Boiled ham and cabbage, baked pork and beans, mashed potatoes, stewed corn, stewed tomatoes, stewed prunes with rice, cakes, bread, butter, tea, and coffee.

Supper: Cold ham, Hamburger steak, baked potatoes, stewed onions, hot biscuits, bread, butter, tea, apple sauce.

CAMP 2.

Breakfast: Rolled oats, fried potatoes, fried ham and hash, griddle cakes, bread, butter, and coffee with milk and sugar.

Dinner: Soup, roast beef, mashed potatoes, stewed corn, stewed tomatoes, baked macaroni with cheese, rice pudding, bread and butter, tea and coffee, jelly, pickles, catsup, etc.

Supper: Fried potatoes or potato cakes, beef stew, cold meats, hot bread, tea and coffee, one dessert.

Articles of food varied from day to day, and such articles as jelly, pickles, catsup, etc., were served at each meal.

COST OF LIVING AND SURPLUS EARNINGS OF ITALIAN LABORERS.

Through the courtesy of the general officers of three railroad systems in the States of New York, Pennsylvania, and New Jersey the pay rolls of the companies for the years 1905 and 1906 were placed at the disposal of the writer for inspection. The common laborers employed on these and other eastern roads are nearly all Italians. English-speaking laborers have practically abandoned this kind of work, having moved upward in the industrial scale.

The directing minds of the work of the Italian laborers, from the constructing engineers and road masters to track foremen, are American-born or English-speaking citizens. Before the incoming of the Italians the railroad laborers of other nationalities sought and secured board and lodging in the villages and towns along the line of railroad, and in the case of large moving gangs of men boarding cars with cooks, utensils, and food were provided by the company or by contractors, and no difficulty was encountered in providing for their wants or directing their movements.

In procuring the necessary Italian laborers it was found that they could be secured satisfactorily only through the Italian padrone middleman, who had their undivided confidence. These Italian labor agents or padrones proposed to the railroad companies a new method which would relieve the latter of all anxiety, trouble, embarrassment, or expense in handling. They offered to supply all the laborers needed at any place and at any time free of cost to the companies, and through their elastic system to expand or contract the supply at will. In return for the service they asked to be permitted to establish at all points on the line of road sleeping shanties and commissary stores for the sale of food, clothing, and sundries to the laborers. The Italian laborers, it was urged, disliked the American plan of furnishing three hot meals a day at a common dining table, each preferring to buy his own food and to cook it himself. As the providing of boarding cars and camps was attended with a great deal of trouble and often at a loss to the companies, the proposed system of dealing with a large number of laborers, whose language the subordinates of the road could not understand, met with favor. The proposals of the labor agents were accepted and the privileges asked for were granted. An arrangement was made by which the rent of the sleeping shanty and the value of the food, clothing, and sundries purchased by each man each month at the commissary was to be deducted from his wages, and the net amount due him paid to each man in person at the pay car. The entire arrangement from a business point of view was legitimate and fair. The abuses of it, as told elsewhere, were in the overcharges and extortions connected with it and the unduly large

bills in excess of the actual purchases, which were turned in for deduction from the wages each month.

These abuses have been corrected by the companies through a system of frequent inspection and reports, though cases of imposition still come to light from time to time.

In order to ascertain the total earnings, the amounts deducted for living expenses incurred at the commissaries, and the surplus earnings of the Italian laborers, pay rolls were inspected for representative months throughout the years 1905 and 1906. The rates of wages per hour in 1906 were higher than in 1905 by 1 cent per hour, or 10 cents per day. In 1903 and 1904 the rates of wages were 12 and 12½ cents per hour; in 1905, 13 and 13½ cents per hour; in 1906, 14 and 14½ cents per hour, for a ten-hour workday.^(a)

On the pay rolls the account of each man is set forth, as appears in the following abstract illustrative of the methods used. The name in full of each man with his number appears on the line with his account. The amount deducted includes shanty rent and the charges for food and sundry articles.

ABSTRACT OF MONTHLY PAY ROLL OF RAILROAD LABORERS.

Name of laborer.	Number of laborer.	Number of hours worked.	Rate of wages per hour.	Total amount earned.	Amount of deduction for rent, food, etc.	Amount due.
.....		265	\$0.14	\$37.10	\$7.10	\$30.00
.....		262	.14	36.68	8.20	28.48
.....		270	.14	37.80	6.50	31.30
.....		270	.14	37.80	5.85	31.95
.....		260	.14	36.40	7.00	29.40
.....		262	.14	36.68	7.50	29.18
.....		247	.14	34.58	7.21	27.37
.....		270	.14	37.80	6.45	31.35
.....		267	.14	37.38	8.59	28.79
.....		270	.14	37.80	6.50	31.30

Similar details were secured for 2,209 Italian track laborers working in 133 different gangs in the three States, and distributed at a number of places along more than 1,000 miles of track. Included in the total were 73 gangs of section hands numbering 1,008 men; 17 gangs of 202 men engaged in ditching, fence building, rock and ledge work, and tunnel excavating; 12 gangs, numbering 223 men, laying steel rails; 4 gangs of 125 men putting in ties; 17 gangs, numbering 405 men, engaged in ballasting, gravel pit work, and general construction work; and 10 general yard gangs, numbering 246 men.

In 1905, in one month, 44 gangs, numbering 679 men, worked 178,147 hours and earned \$23,415.55. From this was deducted for food, rent, articles of clothing, soap, tobacco, etc., \$4,888.98, leaving

^a Since the inspection was made increases have been made in the pay of railroad track laborers.

a surplus over cost of living of \$18,526.57. In 1906, in one month, 89 gangs, numbering 1,530 men, worked 404,699 hours and earned \$56,724.37. From this was deducted for food, rent, articles of clothing, soap, tobacco, etc., \$10,390.54, leaving a surplus over cost of living of \$46,333.83.

The average income per man for a representative month in 1905, for the 679 men shown above, was \$34.49, the average cost of living was \$7.20, and the average surplus over cost was \$27.29.

The average income per man for a representative month in 1906, for the 1,530 men shown, was \$37.07, the average cost of living was \$6.79, and the average surplus over cost was \$30.28.

The increase in the income in 1906 was due to an increase in the wage rate. A number of the gangs were kept moving from place to place, sleeping in bunk cars provided by the companies, for which no rent was charged. The average cost for food alone per man for the month in 1905 was \$5.48 and in 1906, \$5.30 (a difference of something over half a cent per day).

The following table gives in detail the figures for these Italian railroad employees:

AVERAGE EARNINGS AND COST OF LIVING OF ITALIAN LABORERS EMPLOYED ON THREE RAILROAD SYSTEMS IN NEW JERSEY, NEW YORK, AND PENNSYLVANIA FOR A REPRESENTATIVE MONTH IN 1905 AND 1906, BY OCCUPATIONS.

Occupation.	Num-ber of gangs.	Num-ber of men in gangs.	Aver-age num-ber of hours worked.	Aver-age earn-ings.	Average amount ex-pended for —			Aver-age cost of living.	Average amount of sur-plus over cost of living.
					Rent of shanty.	Food.	Sun-dries.		
1905.									
Section track work.....	27	316	270.75	\$35.37	\$0.65	\$5.26	\$1.02	\$6.93	\$28.44
Tunnel excavating.....	2	11	265.91	36.61	.50	4.82	1.30	6.62	29.99
Fence building.....	1	5	272.00	38.08	.50	6.57	1.03	8.10	29.98
Rock and ledge work.....	3	40	268.75	36.61	.50	6.07	1.10	7.67	28.94
Ditching.....	2	44	258.91	33.98	.87	5.41	.96	7.24	26.74
Laying rails.....	2	62	270.39	36.46	.50	6.08	1.03	7.61	28.85
Putting in ties.....	1	68	259.12	33.69	.50	5.64	1.12	7.26	26.43
Ballasting.....	1	16	202.63	26.34	1.00	6.59	.66	8.25	18.09
Gravel pit work.....	3	51	242.29	31.50	1.00	5.06	.99	7.05	24.45
General yard work.....	2	66	245.36	31.90	1.00	5.56	1.06	7.62	24.28
Total.....	44	679	262.37	34.49	.69	5.48	1.03	7.20	27.29
1906.									
Section track work.....	46	692	266.79	37.41	.60	5.34	1.03	6.97	30.44
Tunnel excavating.....	2	11	256.45	36.49	.50	5.23	1.03	6.76	29.73
Fence building.....	1	30	249.73	34.96	.....	4.50	1.03	5.53	29.43
Rock and ledge work.....	5	58	250.17	35.02	.50	6.17	1.03	7.70	27.32
Ditching.....	1	3	240.00	33.60	.50	5.44	1.03	6.97	26.63
Laying rails.....	10	161	264.80	37.17	.42	4.92	1.03	6.37	30.80
Putting in ties.....	3	57	251.60	35.27	.50	5.47	1.03	7.00	28.27
Ballasting.....	10	292	266.71	37.34	.22	5.24	1.03	6.49	30.85
Gravel pit work.....	1	8	275.38	38.55	.50	5.31	1.03	6.84	31.71
General construction work.....	2	38	243.92	34.15	.50	5.86	1.03	7.39	26.76
General yard work.....	8	180	267.83	37.50	.40	5.27	1.03	6.70	30.80
Total.....	89	1,530	264.51	a 37.07	.46	5.30	1.03	6.79	30.28

^a The increase in the average income for 1906 over the average income for 1905 was due to an increase in the rates of wages

At different commissary stores along the lines of railroad the daily purchases of each man for one full month were examined into. The purchases are recorded in the books of account kept at the stores and in the corresponding individual books kept by the men, and both are verified by the amounts reported for deduction to the railroad companies.

At one commissary store seventeen sections were supplied. For the months of July, August, September, and October, 1906, the food supplies sold by this store to the number of men given were as follows:

AVERAGE COST PER MAN PER MONTH OF FOOD SOLD BY COMMISSARY STORE TO ITALIAN RAILROAD LABORERS, JULY TO OCTOBER, 1906.

Month.	Number of men.	Total food supplies purchased.	Average cost per man per month.
July.....	171	\$738.18	\$4.32
August.....	161	906.79	5.63
September.....	162	831.79	5.13
October.....	150	813.00	5.42

At another commissary store and shanties, where 25 Italians purchased their food supplies, details were secured for each man. The following were the quantities and cost for the 25 Italian laborers:

QUANTITY AND COST OF FOOD SOLD IN ONE MONTH AT COMMISSARY STORE TO 25 ITALIAN RAILROAD LABORERS.

Article.	Unit.	Price per unit.	Total quantity sold.	Total cost.
Bread.....	1½-lb. loaf...	\$0.08	555 loaves ..	\$44.40
Macaroni.....	Pound.....	.07	443 pounds ..	31.01
Tomatoes, canned.....	Can.....	.14	25 cans	3.50
Sausage, bologna.....	Pound.....	.18	24 pounds ..	4.32
Cheese, imported.....	Pound.....	.34	33 pounds ..	11.22
Fatback (for lard)	Pound.....	.12	132 pounds ..	15.84
Codfish.....	Pound.....	.12	6 pounds .....	.72
Corned beef, canned.....	Can.....	.14	27 cans	3.78
Beans.....	Pound.....	.06	49 pounds ..	2.94
Peas.....	Pound.....	.06	18 pounds ..	1.08
Sardines.....	Box.....	.07	22 boxes....	1.54
Coffee.....	Pound.....	.30	11 pounds ..	3.30
Sugar	Pound.....	.08	79 pounds ..	6.32
Rice.....	Pound.....	.10	2 pounds ...	.20

The total cost of all food for the month for the 25 men was \$130.17, and the average cost per man was \$5.21.

At another point on one of the lines of railroad, where 34 Italians were furnished with their food supplies at the commissary store, the quantity consumed and the cost were as follows:

QUANTITY AND COST OF FOOD SOLD IN ONE MONTH AT COMMISSARY STORE TO 34 ITALIAN RAILROAD LABORERS.

Article.	Unit.	Price per unit.	Total quantity sold.	Total cost.
Bread.....	1½-lb. loaf...	\$0.08	773 loaves...	\$61.84
Macaroni.....	Pound.....	.07	500½ pounds...	35.04
Macaroni (pasta).....	Pound.....	.07	156 pounds...	10.92
Tomatoes, canned.....	Can.....	.14	73 cans.....	10.22
Sausage, bologna.....	Pound.....	.18	47 pounds...	8.46
Cheese.....	Pound.....	.34	34½ pounds...	11.73
Fatback (for lard).....	Pound.....	.12	174½ pounds...	20.94
Codfish.....	Pound.....	.14	4½ pounds...	.63
Corned beef, canned.....	1-lb. can....	.16	27 cans.....	4.32
Beans.....	Pound.....	.06	45 pounds...	2.70
Peas.....	Pound.....	.06	4 pounds....	.24
Lentils.....	Pound.....	.10	21 pounds...	2.10
Sardines.....	Box.....	.07	15 boxes....	1.05
Tea.....	Pound.....	.35	1 pound.....	.35
Coffee.....	Pound.....	.30	14½ pounds..	4.35
Sugar.....	Pound.....	.09	96 pounds...	8.64
Rice.....	Pound.....	.08	8 pounds....	.64

The total cost of all food for the month for the 34 men was \$184.17, and the average cost per man was \$5.42.

In the preceding tables the average cost of food per man for a month for the 25 men was \$5.21, and for the 34 men it was \$5.42. Taking the individual purchases of the 59 men during the month, the actual cost of food for each man was as follows:

ACTUAL EXPENDITURE FOR FOOD FOR A MONTH PER INDIVIDUAL OF 59 ITALIANS AT COMMISSARY STORES.

\$4.82	\$5.29	\$4.66	\$5.46	\$5.12	\$5.08
5.94	5.23	5.61	5.94	5.44	5.15
4.07	5.05	5.72	5.43	5.62	5.67
4.77	4.84	4.77	5.91	5.50	5.33
5.76	5.81	5.69	5.32	5.72	5.13
5.70	5.98	5.78	5.53	4.89	6.87
4.66	5.20	5.61	5.31	4.42	5.18
7.01	4.81	5.77	5.00	5.09	5.09
4.23	4.86	5.81	5.97	4.56	6.46
4.26	5.43	4.75	4.57	5.72	

The food expenditures for each of 69 Italians at a padrone commissary on another line of railroad, where the privileges were in the hands of another agent, in the month of September, 1906, were as follows:

ACTUAL EXPENDITURE FOR FOOD PER INDIVIDUAL OF 69 ITALIANS AT A PADRONE COMMISSARY FOR SEPTEMBER, 1906.

\$6.55	\$5.50	\$5.80	\$5.10	\$5.85	\$4.65
7.00	4.55	5.50	4.10	6.25	4.70
7.40	7.80	4.50	5.40	4.00	5.00
5.75	7.10	6.40	5.15	4.45	6.00
4.80	6.90	4.50	4.65	5.00	6.10
5.00	5.70	4.75	4.20	4.50	4.00
5.85	5.10	4.20	4.85	6.00	6.70
4.75	6.00	4.10	5.85	4.50	4.10
5.10	5.10	4.40	5.00	5.00	5.30
5.60	4.60	4.50	5.15	4.05	
5.35	4.30	4.00	5.00	4.70	
4.10	4.70	5.40	4.60	4.90	

The following are the regular and typical bills of fare of Italian laborers at the padrone commissaries on the different lines of railroad, purchasing the articles named and at the costs specified in the preceding pages:

Breakfast: Bread and coffee.

Dinner: Bread and cold coffee and one only of the following articles: Bologna sausage, or cheese, or corned beef, or codfish.

Supper: Macaroni and canned tomatoes and cheese, or macaroni and beans or peas, or macaroni and lentils or rice; bread; fatback used for cooking; hot tea or coffee used by about 20 in every 100 men, 80 using water.

At other commissaries:

Breakfast: Bread and coffee.

Dinner: Bread, bologna sausage or sardines, cold beans, cold coffee.

Supper: Macaroni and cheese, canned tomatoes and vegetables, bread, fatback for cooking.

Breakfast: Bread and coffee.

Dinner: Bread, sausage, or sardines or cheese.

Supper: Macaroni, cheese and tomatoes, potatoes or cabbage or beans, pint bottle of beer.

It is asserted that the Italian laborers, after being from two to four years in the United States, change their diet to more substantial food. On railroad work outside of cities, where they are principally employed, no evidence of this alleged change is apparent. Many of the laborers have been employed for from five to ten years and upward, but their methods, bills of fare, and expenditures are the same as the first year men.

This statement applies to Italians sleeping at the commissary shanties or in the bunk cars furnished by companies and purchasing their food supplies at the commissaries. These methods are the common ones and the rule. They also apply to Italian laborers employed by general contracting companies.

COST AND METHODS OF LIVING OF IMMIGRANT LABORERS OTHER THAN ITALIANS.

The padrone commissary system of supplying and caring for Italian laborers through the intervention of a middleman has not been adopted by immigrants of other nationalities or their employers, so far as the employment of adult unskilled laborers is concerned.

Other nationalities procure employment by personal application, or through fellow-countrymen already at work, or through the employment agencies. The Italian labor agencies of New York send out Italian laborers only, while other agencies procure employment for men of all nationalities. The Italian agencies combine the commissary system with employment. The work of other agencies ends with supplying the laborers at the agreed fees. The form of "application for laborers" of the latter agencies contains the printed questions—"What nationality preferred?" and "Cost of board and lodging"—in addition to the other questions as to work and wages.

The form of the labor contract of a typical agency of this cosmopolitan kind is printed in English, German, Polish, Slovak, Hungarian, Italian, and French.

German, Swede, Norwegian, Slavic, Hungarian, and English speaking laborers accept the regular board and lodging supplied at labor camps at \$14, \$16, and \$18 per month. Excepting the Slavs and Hungarians, they seek no other kind. Hungarians and Slavs, where the work is of a permanent character, form groups of from 20 to 25 or 30 men and procure a house or shanty and proceed to live on a cooperative plan. They hire a woman, usually the wife of one of them, and pay her \$1 per man per month and board for cooking three meals a day. They do not establish a commissary store, but purchase their supplies at the village or other stores. At the end of the month each pays an equal share of the cost. The Polish custom is about the same as this. Fresh and salt meats are essential parts of their bills of fare. As an illustration of their method the following may be cited:

Twenty-one Hungarian laborers working in an iron and steel plant in Ohio in the spring of 1906 lived in one of the company houses at a rental of \$10 per month, supplying their own stove, furniture, and bedding. They paid a man and his wife (both Hungarians) \$3 per man per month for cooking and caring for them, not including laundry. The cost of food averaged \$3.30 every fourteen days, or about \$7 per month. The total cost per man per month was a little over \$10. They used beef as a rule three times a day.

In 1906, at Hansford, Pa., Hungarians and Slavs paid \$12 per month in boarding houses. The bill of fare was as follows:

Breakfast: Bread and coffee.

Lunch: Four or five sandwiches (beef).

Dinner in the evening: Soup, boiled or roast beef, one-half to three-fourths of a pound a head, vegetables, and coffee.

Sunday dinner, more elaborate.

In this vicinity, where the men live on the cooperative plan, they pay \$2 per man per month for the woman cook, and \$9 a month is the average cost of food; a total of \$11.

At Hazleton, Pa., their board costs \$13 per month.

The Sixth Annual Report of the United States Department of Labor (p. 682) describes the kind and cost of living of Slavs and Hungarians in Pennsylvania as follows in 1890:

Budgets were obtained from employees at twelve pig-iron furnaces * * * and information of a general character was obtained for ten of that number as follows:

The employees are nearly all Hungarians, and the majority of those who are married have left their families in Europe. They are frugal in their habits, and usually keep on hand, for use in case of sickness or other emergency, at least \$40 in cash each. The balance of their surplus earnings is regularly sent to their families. The

boarding houses are cooperative, companies of from 20 to 45 men being formed, who secure a suitable house and elect a "boarding boss" (usually a man whose wife is with him), whose duty it is to attend to the purchase of supplies, paying rent, and keeping accounts. At the end of every month each member of the company pays an equal share of the total expenses, and in addition \$1.50 or \$2 to the wife of the "boarding boss," who cooks the provisions and attends to the rooms. They also pay the boss 50 cents each per month if his entire time is taken up by the affairs of the company; but if he is himself a working man, earning wages, he becomes one of the company and pays his share of the total expenses. It is intended that the entire cost of board and lodging shall not exceed \$9 per month per man, and if, at the end of a month, it is found to have gone beyond this amount, a meeting of the company is held and the bill of fare revised so as to reduce the cost. Each man furnishes his own bedding. The furniture is meager, consisting mainly of homemade tables and benches in lieu of chairs, while the bedsteads are generally improvised from old boards, the only really good article of furniture in the establishment being the cooking stove. The houses are crowded to their utmost capacity, the same rooms being occupied alternately by the men employed during the day and at night, and from 4 to 10 men sleeping in the same room together. Once a month, on pay day, a keg of beer is bought on the cooperative plan, if 20 men agree, for \$3, which they drink between them. Less than 20 men will not buy together, the cost per man being considered too great. Each man usually has one fair suit of clothes besides his work clothes, the average expense per man for clothing being about \$18 per year.

Budgets were obtained from four iron-ore mines in Pennsylvania.

The "messes" are run at the mines the same as at the furnace, except that the company furnishes houses rent free, with a tenant-at-will clause. The bill of fare at the mines includes 2 pounds of meat per man per day, 1 for dinner and for supper. Each man pays the cook \$1.50 per month. The expenses for one month as shown by mess books were: For food, etc., \$6.93; for cook, \$1.50; total, \$8.43. Where employees come into the mines for only a few days and do not join the company or mess they are charged 25 cents a day for food and 5 cents for cooking, or 30 cents per day. Each man has his own bedtick and must get it filled for himself.

An expert in the anthracite regions writes, in 1904, (^a) as follows:

When these men [the Slavs] first came into the country it was nothing unusual to see a company of 20 or 30 men leading a communal life in a large barn. The place was run by a boarding boss and his wife. Each man paid \$1 a month for sleeping room; * * * Meat, potatoes, coffee, bread, and cabbage were bought in common. At the close of the month each paid his pro rata share, which was about \$5. One of these men said, if his share went up to \$6, "Me kick;" the cry of extravagance was raised, and there was war in the camp. A change has come. Now single men pay from \$2 to \$3 a month for lodging, washing, etc., and buy their own provisions. It costs them under this system about \$10 a month. Many Slav young

^a Roberts, Anthracite Coal Communities, p. 105.

men in recent years, following the American fashion, board and pay \$12 a month. The Anglo-Saxon boarders pay from \$16 to \$18. This amount was not paid by immigrants from the British Isles in the fifties and sixties of the last century. Young men then boarded in Carbondale and Minersville for \$10 a month. The wages at that time were \$1 per day for miners and 75 cents for laborers. But food was cheap.

Recurring to existing conditions, this writer says:

By a computation made in one of the company stores in Schuylkill County of the purchases of 12 English-speaking and 12 Slav families for one year, we found the per capita expenditure [for men, women, and children] of the former to be \$5.48 and of the latter \$2.86 per month.

In the accounts of the Slavs and Anglo-Saxons the following items were found:

VARIETY OF FOOD USED BY SLAVS AND ANGLO-SAXONS.

<i>Slavs.</i>	<i>Anglo-Saxons.</i>
Flour.	Flour.
Salt pork.	Ham.
Potatoes.	Potatoes.
Cabbages.	Cabbages.
Barley.	Onions.
Pickles (barrel).	Pickles (bottled).
Garlic.	Coffee.
Coffee.	Tea.
Coffee essence.	Lard.
Sardines.	Salmon.
Eggs.	Eggs.
Butter	Butter
Cheese } very sparingly.	Cheese } in large quantities.
Sugar }	Sugar }
In some Slav accounts:	Dried beef.
Cheap prunes.	Spices.
Mixed jams, 5 lbs. 25 cts.	Cakes.
Apple butter, 3 lbs. 10 cts.	Crackers.
Fresh meats from the butcher.	Mackerel.
	Canned tomatoes.
	Canned peaches.
	Canned apricots.
	Canned cherries.
	Fresh meats.
	Lemons.

The Slavs have good bread made of the best wheat or rye; they use much barley in soups; they consume daily about a pound of beef for boiling or of fat pork or bologna sausage, a quantity of potatoes, cabbage, milk, coffee, and beer, butter and cheese, sugar, garlic, and eggs and fish.

Instances of Slavs crowding into small houses are not so numerous at present as ten years ago. Of 153 families in a mining town, 111 or 72.61 per cent had no boarders. The remaining 42 families had from 1 to 7 boarders. More houses are now placed at their disposal. But to-day many Slav families are anxious to get a few boarders, for it reduces the item of rent.

The Anglo-Saxons as a rule stand in striking contrast with this. They want no boarders and wish to preserve the hearth sacred for family use.

As a rule, it may be said that in mining patches as well as in mining towns, the Slavs pay from \$2.50 to \$5 a month rent, while the Anglo-Saxons pay from \$4.50 to \$9.

The Slav homes of the newly married have no new furniture, no carpets; the stoves are bought at second hand. * * * His rule is never to start married life with a debt.

COMPARISON OF FOOD AND LODGING OF ITALIANS, SLAVS, AND OTHER NATIONALITIES.

The following table shows that the bills of fare of the Italian laborers at their commissaries in the United States, in variety, quantity, and cost, do not equal those of the Slavs and Hungarians in the labor camps and boarding houses, and are far below the standard of laborers of other nationalities, native and foreign born:

COMPARATIVE COST OF FOOD PER MONTH FOR ITALIANS, SLAVS, AND OTHER NATIONALITIES.

	Range per month.
ITALIANS.	
Average railroad commissary cost of food.....	\$5.13-\$5.48
Average contract commissary cost of food.....	5.90- 7.00
Average costs at exceptional camps.....	8.50-10.00
SLAVS AND HUNGARIANS.	
Minimum food costs, cooperative plan.....	8.43-11.00
In boarding houses, including lodging.....	12.00-18.00
OTHER NATIONALITIES, NATIVE AND FOREIGN BORN.	
In labor camps and boarding houses, including lodging.....	16.00-18.00

The maximum charge per month for shanty rent is \$1 for Italians.

SIX MONTHS' INCOME, COST, AND SURPLUS, CONTRASTED FOR ALL NATIONALITIES.

The surplus earnings of laborers of various nationalities for six months' steady work without loss of time and at \$1.50 per day over cost of living, as shown in the preceding pages, would be as follows at contract-labor camps.

ESTIMATED COST OF FOOD AND LODGING AND SURPLUS EARNINGS OF WORKMEN OF EACH NATIONALITY FOR SIX MONTHS' WORK AT CONTRACT-LABOR CAMPS.

Nationality.	Income.	Cost of food and lodging.		Surplus earnings.	
		Amount.	Per cent of income.	Amount.	Per cent of income.
Italians.....	\$234	\$48	20.51	\$186	79.49
Slavs and Hungarians.....	234	72	30.77	162	69.23
Other nationalities.....	234	108	46.15	126	53.85

In the above the cost of food and lodging for Italians is based on the commissary system, for Slavs and Hungarians on their cooperative system, and for all other nationalities on the regular boarding camp system. The Slavs and Hungarians in the absence of opportunity for cooperation live at the regular boarding camp at the same cost as others. As a rule, a commissary is established for Italians separate from the boarding camp.

As an illustration of the thrift of the Italian laborer the following is an instance:

On October 30, 1906, an Italian laborer who also acted as interpreter and subforeman at \$1.50 per day sent from the post-office in the village where the commissary was located \$220 to his folks in Italy. This was his surplus savings of six months' work and overtime. His total food consumption and cost for the preceding month was as follows:

36 loaves of bread, at 8 cents.....	\$2.88
7½ pounds of fatback .....	.90
10 pounds of macaroni.....	.70
<hr/>	
Total cost of food for month.....	4.48

The Italian laborers save more money at the same wage rate than any other class of European laborers in the United States. According to the estimate of a commissary clerk of years of experience and in hourly touch with them, "In every 100 Italian laborers employed on railroads at 14 cents an hour 95 men will save \$25 to \$27 per month after paying for food, shanty, and clothing." As shown in the table on page 470, the average surplus earnings of 679 men in a month in 1905 was \$27.29, and in 1906 the average was \$30.28 a month for 1,530 men after paying for food, rent of shanty, clothing, tobacco, soap, etc.

On railroad contract work the cost of living of the Italian is a little higher, but his wages are also higher, being \$1.50 a day, or 10 cents a day more.

As further indication of Italian thrift, the following table, compiled from the annual reports of the transactions of the New York post-office, is given, showing the amount of money orders sent from all post-offices in the United States and certified to Italy and to the Slavic countries during the seven years ending December 31, 1906:

INTERNATIONAL MONEY ORDERS ISSUED IN THE UNITED STATES AND SENT TO ITALY AND THE SLAVIC COUNTRIES FOR EACH CALENDAR YEAR FROM 1900 TO 1906.

[Figures relating to money orders are from the annual reports of the transactions of the New York post-office. The amounts are those sent from all post-offices in the United States.]

Year ending December 31—	Money orders sent to Italy, Austria-Hungary, and Russia.		Money orders sent to other countries.	
	Number.	Amount.	Number.	Amount.
1900.....	163,691	\$3,845,251.14	840,416	\$11,857,176.71
1901.....	263,599	6,251,887.64	901,039	12,742,945.59
1902.....	395,644	10,464,447.48	1,014,904	14,599,437.34
1903.....	594,565	17,385,759.72	1,144,121	16,882,454.90
1904.....	700,611	18,997,965.90	1,204,861	17,722,935.48
1905.....	966,718	26,014,022.06	1,356,859	20,167,420.66
1906.....	1,179,805	36,798,561.92	1,577,652	25,636,781.02
Total.....	4,264,633	119,757,895.86	8,039,852	119,609,151.70
Average amount of each order.....		28.08		14.88

Year ending December 31—	Amount of money orders sent to Italy.	Immigrants from Italy.	Amount of money orders sent to Austria-Hungary and Russia.	Immigrants from Austria-Hungary and Russia.
1900.....	\$1,362,166.42	^a 484,207	\$2,483,084.72	^a 1,401,689
1901.....	1,905,611.75	135,996	4,346,275.89	198,647
1902.....	3,607,795.61	178,375	6,856,651.87	279,336
1903.....	7,729,257.86	230,622	9,656,501.86	342,104
1904.....	8,780,255.81	193,296	10,217,710.09	322,297
1905.....	11,092,446.60	221,479	14,921,575.46	460,590
1906.....	16,239,134.40	273,120	20,559,427.52	480,803
Total.....	50,716,668.45	1,717,095	69,041,227.41	3,485,466

^a Total number living in the United States, exclusive of Alaska and Hawaii, as reported by the census.

AMOUNT OF MONEY ORDERS SENT TO ITALY AND TO AUSTRIA-HUNGARY AND RUSSIA PER IMMIGRANT FOR THE ENTIRE SEVEN YEARS, 1900 TO 1906.

Country.	Immigrants, 1900 to 1906. (^a)	Amount of money orders sent.	Amount per immigrant.
Italy.....	1,717,095	\$50,716,668.45	\$29.54
Austria-Hungary and Russia.....	3,485,466	69,041,227.41	19.81

^a Includes total living in the United States in 1900, together with those arriving from 1901 to 1906.

This table shows that for every man, woman, and child born in Italy and living in or arriving in the United States \$29.54 was sent to Italy during the seven years 1900 to 1906, inclusive, or \$4.22 per year per person, and for immigrants from Austria-Hungary and Russia in the same period \$19.81 was sent to those countries, or \$2.83 per year per person.

NUMBER AND AMOUNT (TOTAL AND AVERAGE) OF MONEY ORDERS SENT TO ITALY, HUNGARY, AUSTRIA, AND RUSSIA DURING THE SEVEN YEARS ENDING DECEMBER 31, 1906.

Country.	Number of orders sent, 1900 to 1906.	Amount of money orders, 1900 to 1906.	Average amount of order, 1900 to 1906.
Italy.....	1,314,350	\$50,716,668.45	\$38.59
Hungary.....	709,700	22,917,566.01	32.29
Austria.....	892,965	22,452,492.27	25.14
Russia.....	1,347,618	23,671,169.13	17.57

AVERAGE AMOUNT OF EACH MONEY ORDER SENT TO PRINCIPAL COUNTRIES IN 1906.

Country.	Average amount of each order sent.	Country.	Average amount of each order sent.
Italy.....	\$40.51	Germany.....	\$14.96
Hungary.....	35.21	Sweden.....	20.60
Austria.....	28.80	Norway.....	22.89
Russia.....	19.19	Greece.....	42.52
Great Britain.....	13.28		

The total amount of money orders sent in 1906 to all countries was \$62,435,342.94, and of this the amount sent to Italy and the Slavic countries was \$36,798,561.92, or 58.9 per cent of the total, while the number of orders sent was but 42.8 per cent of the whole number. During the seven years there was sent to Italy 30.8 per cent of the number of orders and 42.3 per cent of the total amount of money sent to Austria, Hungary, Russia, and Italy combined, while the Italians constituted but 33 per cent of the total number of immigrants from the four countries.

It is probable that the reason for this is that a greater number of immigrants from the Slavic countries brought their families to the United States than did the Italians. The remittances through the post-offices are but a small proportion of the total amount transmitted and carried over in person. Large amounts of which there are no records are sent over through the Italian bankers. An indication of the volume of business done by the banks is given in a report of a United States consul in July, 1906:

Consul James E. Dunning, writing from Milan, says that more than \$500,000 in American money is yearly sent out of the United States by temporary Italian residents to a single bank in Naples, and that the total emigration to the States from Italy in the year 1905-6, also approaching the 500,000 mark, is indicated by the annual statement of the general commissioner of emigration at Rome.

The statement shows that in the period between April, 1905, and April, 1906, 726,331 individuals emigrated from Italy to all countries, against a total of 471,191 in 1904, 293,181 in 1895, and 157,193 in 1885. A total of 316,797 left for the United States, while 86,158 emigrated to Argentina, 30,079 to Brazil, and 5,930 to Canada. The idea of most Italian emigrants, says the emigration commissioner, is

to accumulate something like a fortune in the States and return with it to Italy. The intimacy of the home connection is shown by the exhibit of the Bank of Naples, which, having advertised that sort of business as its specialty, has more than 183,000 accounts opened by Italian emigrants in the United States, and placed to their credit during the fiscal year just closed more than \$500,000. During the same period Italians in Argentina sent to this single bank \$828,000, and \$425,000 came back from Brazil. The total receipts from such sources at the Naples bank were \$200,000 above those of the year before. And that is only one bank among dozens in Italy.

Probably the greatest amounts are carried over in person by returning emigrants late in the fall of each year. As previously shown, 95 per cent of the Italian laborers save from \$25 to \$30 of their wages per month. For eight months' work this would amount to over \$200 per man. It is estimated that 40 per cent of the incoming immigrants from Italy return for the winter when work is partially suspended on the railroads. This for 1906 would amount to nearly 110,000 Italians. The steerage rates of passage are low at this time of year. For November and December, 1906, the rate from New York to Naples was from \$27 to \$33 according to the steamship line taken.

Very many of the returning Italian laborers find it cheaper, healthier, and more satisfactory to pay the expenses of the going and returning passages than to be compelled to live in a crowded room in a New York tenement during the winter months without work, excepting for an occasional job at 20 cents an hour after a snow storm.

The statements made by Italian bankers, padrones, and labor agents of New York City as to the number of Italian immigrants who return to Italy are of interest and value. These persons sell tickets to the immigrants and procure employment for them. A few of their statements follow:

"Of every 100 Italian laborers laid off in the fall, 10 per cent remain in the localities where they have been at work, 50 per cent go to the nearest large city, and 40 per cent return to their native land, returning for the most part in the spring."

"Of every 100 idle in the fall, one-third go back to Italy."

"Thirty-five per cent go to Italy in November and December and return March 1 to April 1. Of the 65 per cent who do not go, nearly all will remain three to four years or more and then about 10 per cent will remain in the United States permanently."

"Of every 100 laborers outside of New York City 60 come to New York, and of these 40 per cent look for city jobs at anything, 20 per cent wait, idle, for good weather, and 40 per cent go to Italy, and of the latter most of them return in the spring."

"Of the number of Italian laborers laid off in the fall of every year, 40 per cent remain at various points on the railroad, 20 per cent go

back to Italy, 20 per cent go to New York City, and 20 per cent go to work in the Southern States. They begin to return from Italy in March and April."

THE NECESSITY FOR THE ABOLITION OF THE COMMISSARY SYSTEM.

A large proportion of the unskilled Italian laborers admitted into the United States live and work under the commissary system. The Italian immigrant unskilled laborer, while possessing a marked individuality, has little opportunity to assert or exercise it or to depend upon, think, or act for himself. He is watched over, provided for, cared for, and "coddled" at every stage and at all points. As a rule the immigrant laborer of English-speaking and of German, Scandinavian, and Slavic countries has to work out his industrial salvation in the United States in his own way. The hardships and bitter experiences he encounters and overcomes develop the spirit of self-reliance which goes so far toward making him a desirable American citizen. Italian laborers are afforded but little opportunity for the development of a self-reliant spirit because of the system under which they are working in the United States. The operation of this system and the large part it occupies in the Italian laborer's life is best set forth in the language of Cav. Adolfo Rossi, traveling inspector deputed by the Italian Government to study conditions among Italian immigrants in the United States. With an intimate knowledge of conditions in Italy and in the United States and of the commissary system, this writer describes the large Italian colonies in the United States as follows:

Four-fifths of this [Italian] population is made up of the lowest proletariat, and are employed in the most humble occupations, such as digging, excavating, shoveling, loading and unloading, driving, street cleaning, and as porters, fruit peddlers, bootblacks, etc. Upon this rough foundation has been gradually built up a sort of "bourgeoisie" (a lower middle class) composed of business and professional men, artisans, so-called bankers, promoters of all kinds, newspaper men, doctors, and lawyers, etc., all meeting more or less the needs of this great mass of humble laborers.

It is also well known that the majority of Italians in North America come from our southern provinces. Love of home and family and particularly for their native village is deeply inrooted in them. Next to family affection comes that for those of his village and then for those of his Province. Beyond that, every one is a foreigner and to him indifferent and a creature not to be trusted. A Genoese or Lombard is as far apart, temperamentally, from a Calabrian or a Sicilian as he would be from a Canadian. They speak a different language, have a different point of view, and can not get on together.

It is unusual for a southern Italian to arrive here [in the United States] without having some relative or "fellow villager" to go to, and he is generally taken care of the first days. All the southern

Italians are grouped as to residence according to their village or Province, whether here temporarily or permanently. Thus in New York there are several streets inhabited not only by Sicilians alone, but by Sicilians of one district, and so on throughout all the sections of Italy. They are rigidly clannish in every way and go about in groups. If one wishes to do some shopping, all the relatives and connections and friends accompany him, to the great disgust of American shopkeepers, etc. Equally when it is a question of employment they are loth to separate, and not a few individuals but the whole clan must be employed together.

As soon as a few Italians from one locality settle in any spot, a bank, a pharmacy, and a few provision dealers will spring up, all ready to cater to their fellow-villagers. These, by degrees, bring over relatives and neighbors until a good-sized colony is formed, part of the great whole yet isolated and autonomous, and while not visibly so, rigidly apart and separate from those colonies composed of people from other parts of Italy. The fraternal societies and mutual-benefit organizations are equally local in character. How do these facts bear upon the labor [padrone] question?

The building companies and big contractors who require laborers employ a large number of agents gathered from among the different clans, that each may deal with his own; or they employ Americanized Italians and occasionally Americans who understand the habits and dialects of any particular section. These people are intrusted with the recruiting of men by the contractors, and are paid by either big awarded subcontracts or by a percentage, and more often by the privilege of boarding the laborers, backed by the contractor's guaranty, and he holds back the amount of the laborer's indebtedness from his wages.

On account of these advantages these men are most active and persistent and use the most subtle persuasion to induce the laborers to accept their propositions, which are really those of the company which employs them.

When these agents or bosses are not successful, then they turn to certain bankers [padrones], who among other strange banking operations include that of contracting for laborers. They also enjoy, in different degree and manner, the harvest reaped by the agents, and considering their greater power and influence among the laborers of their particular clan, their fleecing of them is all the more condemnable.

These [padrone] bankers and agents use the most ingenuous means and will descend to any depths to direct the supply of laborers toward the point demanding them. They keep track of all great building operations and all other enterprises and of advertisements for large numbers of workingmen, and usually are so well posted as to anticipate the demand before it is generally known or advertised, and there is keen competition in the way of underbidding. All these agencies have secret agents constantly at work about the streets, saloons, lodging houses, and other meeting places and are always on the alert for desirable material. Their job is to recruit men and, if necessary, by force or stratagem to direct them to the [padrone] bank.

As has been said before, the southern Italians are naturally suspicious and it is very difficult to win them. They must needs consult

together at length before accepting any proposition. The [padrone] banker must be able to persuade, argue, and induce them in every way. He must have infinite patience to answer countless questions numberless times, to realize their point of view, to speak their language [there are a great number of languages or dialects spoken by Italians from the different sections of Italy], and to use diplomacy, cajolery, or violence, as the occasion requires. I have often seen one of these "bankers" physically and mentally exhausted and absolutely voiceless after having procured 100 or 200 laborers for a contractor; but it is worth his while. If his efforts fail and the men leave the bank undecided, he signals to his waiting "runners" to follow them and to use any means to bring them back to the bank, where the contract is finally made. As soon as the propositions are agreed to the fee is paid, each man paying the requisite sum as his name is registered. Often the employer pays this, holding it back on his first week's pay, but in this case the man's name is not registered unless he leaves his luggage or his tools as security. The time of departure quickly follows the registering, usually the next morning, and one of the bank's agents accompanies the men.

Thus the employer, their agents, the bosses, the boarding agents, and the bankers form a solid chain which hopelessly binds the laborer, besides the ties of family, friend, and compatriot, a chain most difficult for even a solidly organized labor bureau to break.

The padroni, or bosses, take advantage of the immigrants not so much by the fact that they exact a fee of from \$2 to \$5 for procuring work, as by advancing their traveling expenses and by the contract system of feeding and housing the laborers.

This illuminating picture of the workings of the system ends with the departure of the Italian laborer from the agency for the commissary labor camps. Other links of the chain that binds him may be added. He may not have a dollar in his pocket, but he need not concern himself about that, nor with the expenses of transportation. If he is to work for a railroad company, he is carried free on its line; if for other employers, his fare is advanced. He does not and need not seek an interview with his employer or the superintendents or foremen under whom he is to work to make his wants or his wishes known or to know something of the nature of his work. He is kept from personal contact with them and is led to believe (with a good deal of truth) that they are unapproachable so far as he is concerned. His friend, townsman, countryman, the Italian agent of the company and the commissary, is his virtual employer, his sole guide and confidant. Through the Italian commissary agent (whether padrone or independent) the American railroad company or contractor houses him apart from other men. In addition to adopting new and unusual methods for his employment, the American employer transports special food for him and provides stores for the commissary agent to sell to him, with facilities for the individual cooking of it.

In deducting the cost of his living from his wages, care is now exercised that he is not overcharged or swindled.

Never in the history of immigration has the immigrant been so carefully tended and safeguarded from the evil that might befall him as is the Italian. His own Government, in article 32 of the Emigration Act of 1901, provides for the protection of emigrants by the institution of homes in the ports of Genoa, Naples, and Palermo before their departure for our shores. It places Government doctors on board ships to care for his health to port of destination. It fixes the price steamship companies may charge for his passage. It provides for rewarding local committees or benevolent institutions who shall put forth their best endeavors for him. It contributes by grants to the support of societies for the protection of Italian immigrants in the United States and for securing them employment. One of these societies states that "Italian immigrants are a very ignorant and timid kind of travelers." The society employs uniformed agents, who speak Italian, to look after the needs of the immigrants as they land at Ellis Island. It supplies an escort service, which safely conducted to their destination in and about New York City 49,000 Italian immigrants from October, 1902, to January, 1906. It operates an efficient employment agency. It maintains an information bureau. It manages labor camps for contractors who employ Italian workmen. It wages unremitting war on all persons that endeavor to swindle Italian immigrants. It is engaged in breaking up the padrone system. It cooperates with the United States authorities and with the New York police department.

The State of New York stretches out a protecting hand to the Italian immigrants that the societies fail to reach and who fall into the hands of padrone agents. It enacted in 1904 and amended in 1906 a law which "specifically provides for the regulation of the Italian padrone system" and prevents the Italian from being swindled. Thus for the protection of this immigrant, "this very timid kind of traveler," a series of all-powerful agencies have been called into existence to render him some service at every turn; and when at last he begins work on American soil, he has by an excess perhaps of helpful attention, been rendered more helpless and timid than when he began his journey.

In view of the fact that at no point is he brought into contact with the Americanizing influences, one is inclined to think that he would have become a more self-reliant man and better fitted for and acquainted with the duties and meaning of American citizenship if he landed with a little of the pioneer spirit and secured employment alone and unaided, other than by the methods open to other immigrants, mingling with and taking his chances and opportunities with other men.

That was the way the "ignorant and timid" immigrants of other nations were assimilated. So long as the commissary system, good or bad, exists, just so long will the Italian remain a stranger in a strange land. The difficulty is not one, merely, of reforming the padrone system. Compelling honest dealing will not remedy the evil. The action of some railroads has brought about reforms, and there will continue to be at normal prices a big profit to the padrone in the sale of supplies to 4,000 or 5,000 men. The honest, independent labor camp where employment is furnished without cost is just as bad a thing for the purpose of American citizenship as the padrone camp, if the commissary system of segregation is in operation at both camps.

ECONOMIC CONDITION OF THE JEWS IN RUSSIA.

BY I. M. RUBINOW.

INTRODUCTION.

The present study of the economic condition of the Jews in Russia is offered as a part of a series of studies on immigration and its relation to social and industrial questions in the United States. One of the most important elements in this problem is the distribution, both geographically and industrially, of immigrants arriving in this country. A study of immigration at the present time would not be complete without special attention to the Russian Jews, forming as they do one-eighth of the total number of immigrants now coming to our shores, and being found so frequently living and working under harmful sweat-shop conditions. Some of the well-known characteristics of these immigrants, such as their tendency to crowd into the great cities and to follow certain definite lines of work to the exclusion of the heavier manual trades and agriculture, will be much better understood after a study of the conditions and restrictions under which they have worked and lived before coming to this country.

JEWISH POPULATION.

As far back as authentic historic records go, Jews are known to have lived within the territory at present included in the limits of the Russian Empire, yet the Russian Empire as it now exists acquired the vast majority of its Jewish citizens at a comparatively recent date. Until 1772 the number of Jews in Russia proper was small, because until then the absolutely prohibitive policy of the Russian Government made any movement across the Polish-Russian frontier practically impossible. The gradual migration of the Jews eastward through Europe resulted in concentrating a large number in the Kingdom of Poland, in which country and in Lithuania Jews are known to have lived as early as the tenth century. The first partition of Poland, in 1792, gave to Russia the section known as White Russia and a part of Lithuania, with a large Jewish population; the second partition, in 1793, and the final partition, in 1795, added the ten Provinces which now constitute the so-called region of the Vistula. Since those events the Russian Empire has remained the home of at least one-half of the

entire Jewish race. While the total number of Jews in the world is not definitely known, the estimate of 11,000,000 is usually accepted as nearly correct. According to the Russian census of January 28 (February 9), 1897, the total number of Jews in the Empire was 5,215,805^(a) or about 50 per cent of all the Jews in the world. Since the total population of the Empire has been determined to be 125,640,021, the proportion of the Jewish to the total population is therefore only a little over 4 per cent; but this percentage has little more than a theoretical value, because of the very uneven distribution of the Jews over the entire territory of the Empire. The policy of the Muscovite Government toward the Jews throughout the sixteenth, seventeenth, and eighteenth centuries was that of absolute exclusion, and with a few qualifications the same policy has been enforced within the annexed western territories, which contain the large Jewish population. The law of 1769 definitely limited the Jew's right of domicile to certain Provinces, thus establishing the strictly defined Jewish Pale, that law being modified in 1804 by the inclusion of several Provinces and the exclusion of others. Several modifications of minor significance have been made in subsequent years. The Pale as it exists to-day was established in 1835 by the "Code of the rights of the Jews." As thus constituted, the Pale consists of twenty-five Provinces^(b) of the eighty-nine Provinces and Territories consti-

^a The problem of determining the number of Jews in Russia presents some serious statistical difficulties, depending upon the different definitions of the word "Jew." In the census of 1897 both the religion and the nationality were taken account of, the latter being based upon the "mother tongue." In the case of the Jews the "Yiddish language" was taken as the decisive feature. Accordingly, the following conflicting statements may be formed: Number of persons of Jewish religion, 5,215,805; number of persons of Jewish nationality as determined by the mother tongue, 5,063,156. A closer examination of the census figures shows that there were enumerated 161,505 persons of Jewish faith who named other languages than the Yiddish as their mother tongue. On the other hand, there were 8,856 persons speaking the Yiddish tongue whose religious faith was other than the Hebrew. As the special legislation in regard to Jews applies to all persons of Jewish faith, 5,215,805 ought to be accepted as the correct figure. Yet in the census many important tables take the nationality (language) basis. The 12,894 Karaites (people of Jewish nationality and faith, but of a different sect and exempt from all special Jewish legislation) must not be disregarded; of these 383 claimed Yiddish as their mother tongue and are therefore included in the preceding groups. The data therefore may be summarized thus:

Persons of Jewish faith claiming Yiddish as their mother tongue.....	5, 054, 300
Persons of Jewish faith claiming other languages as their mother tongue....	161, 505
Persons of other faiths claiming Yiddish as their mother tongue.....	8, 856
Karaites claiming other languages than Yiddish	12, 511
Total.....	5, 237, 172

It is necessary to add that often in special tables of the census the total number of Jews indicated does not agree with either of the totals given here.

^b The Russian word "gubernia" has often been translated into English as "government," under the influence of the French translation "gouvernement." In view of the misleading nature of this term the word "province" is here preferred.

tuting the entire Russian Empire. The Pale begins immediately south of the Baltic Provinces, stretches throughout the west, and extends over the south as far east as the Don Army Territory. The combined territory of the Pale is about 362,000 square miles, or less than 20 per cent of European Russia and only a little over 4 per cent of the entire Russian Empire. The Pale includes:

1. In the Kingdom of Poland (or the region of the Vistula), the Provinces of Warsaw, Kalisz, Kielce, Lomza, Lublin, Petrikau, Plock, Radom, Suvalki, and Siedlec.

2. In Lithuania, the Provinces of Vilna, Kovno, and Grodno.

3. In White Russia, the Provinces of Minsk, Vitebsk, and Mohelev.

4. In southwestern Russia, the Provinces of Volhynia, Podolia, Kiev (except the city of Kiev), Chernigov, and Poltava.

5. In southern (new) Russia, the Provinces of Bessarabia, Khereson, Yekaterinoslav, and Taurida (except the city of Yalta).

At various times many modifications of the absolute prohibition to enter the interior of Russia were made; but the entire Russian legislation in regard to the Jew's right of domicile is much too complicated to be given in detail, and consequently only the main features will be stated. Its essential principle is that, while the general prohibition remains in force, the following specified classes of Jews are given the privilege of domicile throughout the Empire:

1. Merchants of the first guild—i. e., merchants paying a very high business license—after having paid that license somewhere within the Pale for five consecutive years. This right of living anywhere in Russia, outside of the Pale, lasts only as long as the payment of the license is continued, but after ten annual payments the permanent right of domicile within the city in which the payments have been made is acquired.

2. Professional persons, such as physicians, lawyers, dentists, graduate engineers, army surgeons, midwives, and graduates of universities and higher institutions of learning in general, as well as students in such institutions.

3. Master-artisans working at their trades when admitted to their artisans' guild, or possessing the necessary legal evidence of proficiency in their crafts.

In all these cases the acquired right of domicile extends to the members of the immediate family, and in cases of the merchants of the first guild and the professional persons to a limited number of servants and clerks of Jewish faith. In regard to the Jewish artisans, the limitations are much more numerous; and in 1891 their further emigration from the Pale into the interior of the Empire was made exceedingly difficult, and those artisans who were living in the city,

as well as those living in the Province of Moscow, were compelled to withdraw.

Another considerable class of Jews that is permitted to live throughout Russia are the discharged soldiers; but this right is granted only to those who served in the army prior to 1874. This class, therefore, can not increase in number.

Besides these general provisions, there are minor exceptions that grant to limited groups of Jews (usually determined as persons or descendants of persons who were living in certain localities before certain dates) the right to remain in specified localities, or, in a few cases, anywhere in the Empire. Among these exceptions are to be found the resident Jews of Siberia, Turkestan, Caucasus, the Province of Courland, and a few other localities.

The temporary sojourn without the Pale of Jews who have no right of permanent domicile is strictly limited by law to from six weeks to two months, and then only in cases of proved necessity, such as a lawsuit, commercial transactions, or probating a will. Moreover, in these cases important limitations have been introduced. Thus, the important city of Kiev has been excepted from the Pale, and even merchants of the first guild may live only in certain districts of that city. In 1893 the city of Yalta was excepted, and the important cities of Rostov and Taganrog, by being transferred from the Province of Yekaterinoslav to the Don Army Territory, were also excluded from the Pale.^(a)

How well the object of this legislation was accomplished will be seen from the following official data:

TOTAL POPULATION OF RUSSIA AND NUMBER AND PER CENT OF JEWS, WITH PER CENT OF DISTRIBUTION OF JEWS, BY LOCALITIES, 1897.

[Compiled from Premier Recensement Général de la Population de l'Empire de Russie, 1897.]

Locality.	Total population.	Persons of Jewish faith.	Per cent of Jews of total population.	Per cent of distribution of Jews.
Fifteen Provinces of Pale.....	32,936,314	3,578,327	10.9	68.6
The remaining 35 Provinces.....	60,506,550	211,121	.3	4.0
Total European Russia, proper.....	93,442,864	3,789,448	4.1	72.6
Kingdom of Poland.....	9,402,253	1,321,100	14.1	25.3
Caucasus.....	9,289,364	56,783	.6	1.1
Siberia.....	5,758,822	34,792	.6	.7
Middle Asia.....	7,746,718	13,682	.2	.3
Total.....	125,640,021	5,215,805	4.2	100.0

Of all the Jews residing in the vast Russian Empire, 93.9 per cent live in the Pale (including the 10 Polish Provinces), 4.0 per cent live in the remaining part of European Russia, and 2.1 per cent live in all

^a See M. J. Mysh, *Rukowodstvo k Russkym zakonam o evreakh* (Handbook of Russian legislation in regard to Jews). St. Petersburg, 1904.

the Asiatic possessions of the Empire. The Jews, therefore, constitute almost a negligible part of the population of Russia beyond the Pale. Hence the present study will naturally be devoted almost exclusively to the economic conditions within the Pale.

Even within that limited area, the Jews constitute only 11.6 per cent, or about one-ninth, of the entire population. The proportion varies considerably from one Province or region to another, and the reasons for this variation are not difficult to find when the historical line of migration of the Jews is taken into consideration. The southern Provinces, having been thrown open to the Jews at a comparatively recent date, have a smaller percentage of people of that race than has either Poland or Lithuania.

TOTAL POPULATION AND NUMBER AND PER CENT OF JEWISH POPULATION OF THE PALE, BY PROVINCES, 1897.

[Compiled from Premier Recensement Général de la Population de l'Empire de Russie, 1897.]

Province or region.	Total population.	Persons of Jewish faith.	
		Number.	Per cent of total population.
Vilna.....	1,591,207	204,686	12.9
Grodno.....	1,603,409	280,489	17.5
Kovno.....	1,544,564	212,666	13.8
Lithuania.....	4,739,180	697,841	14.7
Minsk.....	2,147,621	345,015	16.1
Vitebsk.....	1,489,246	175,629	11.8
Mohelev.....	1,686,764	203,946	12.1
White Russia.....	5,323,631	724,590	13.6
Volhynia.....	2,989,482	395,882	13.2
Podolia.....	3,018,299	370,612	12.3
Kiev.....	3,559,229	433,728	12.2
Chernigov.....	2,297,854	114,452	5.0
Poltava.....	2,778,151	110,944	4.0
Southwestern Russia.....	14,643,015	1,425,618	9.7
Bessarabia.....	1,935,412	228,528	11.8
Kherson.....	2,733,612	339,910	12.4
Yekaterinoslav.....	2,113,674	101,088	4.8
Taurida.....	1,447,790	60,752	4.2
Southern (new) Russia.....	8,230,488	730,278	9.0
Warsaw.....	1,931,867	351,942	18.2
Kalisz.....	840,597	71,657	8.5
Kielce.....	761,995	83,221	10.9
Lomza.....	579,592	91,394	15.8
Lublin.....	1,160,662	156,221	13.5
Petrikau.....	1,403,901	222,558	15.9
Plock.....	553,633	51,454	9.3
Radom.....	814,947	112,323	13.8
Suvalki.....	582,913	59,195	10.2
Siedlec.....	772,146	121,135	15.7
Poland.....	9,402,253	1,321,100	14.1
Total in Pale.....	42,338,567	4,899,427	11.6

The Jews living in Lithuania, as well as those who live in White Russia, are known as Lithuanian Jews; the Jews of the ten Polish

Provinces as Polish Jews, and those who have settled in the southwestern region and in New Russia as southern Jews. From the American point of view the distinctions are not without some practical significance, because the Lithuanian Jews have until recently constituted the vast majority of the Russian-Jewish immigrants to the United States. The general culture of the Polish Jews is considerably lower than that of the Lithuanian Jews. The economic condition of the Jews in the south of Russia is so much better than that of those in the northwest that only since the recent disturbances has the emigration fever touched the Jews of that region. Of all the Jews in the Empire, the northwestern Jews, comprising those in Lithuania and White Russia, constitute 27.3 per cent, the Polish Jews 25.3 per cent, or approximately the same proportion, and the southern Jews, comprising those in southwestern and southern (new) Russia, 41.3 per cent.

Travelers through western Russia have seldom failed to point out the awful congestion of Jews in the cities and towns. The census of 1897 shows, however, that the Jews constitute only from 8 to 18 per cent of the total population of the several provinces. This concentration of the Jews in cities and towns is due to the so-called "May Laws," promulgated on May 3 (15), 1882, as a result of the series of anti-Jewish riots in 1881, which prohibited further settlement of Jews within rural districts, i. e., outside of cities and towns. In practice this meant not only prohibition of further emigration of Jews from cities into the country, but an actual elimination of many Jewish households from rural settlements, and their enforced migration into towns and the resultant congestion of the latter. The tendency of the modern age everywhere is toward emigration from the rural districts to the city; the Jewish race, however, has lived under very exceptional conditions and for centuries has inhabited the cities almost exclusively. With the general decline of the prosperity of the Russian and Polish nobility, the making of a living became more difficult for the Jew and this led to a moderate though unmistakable tendency to remove to the rural districts. Thither went the petty merchant, the liquor dealer, the artisan, and finally the prospective Jewish agriculturalist. The May laws not only stopped this movement but forced many of the Jewish families already in the country back into cities. Again, in 1891, thousands of families of Jewish artisans and merchants were forced to leave the city of Moscow and other interior cities and seek new homes in the cities of the Pale. Both the May laws of 1882 and the new executive orders of 1891 caused a considerable increase in the emigration of Jews to the United States.

The proportion of the Jewish population to the total population of the cities of the Pale is shown in the following table:

JEWISH URBAN POPULATION COMPARED WITH TOTAL URBAN POPULATION IN
THE PALE, BY REGIONS, 1897.

[Compiled from Premier Recensement Général de la Population de l'Empire de Russie, 1897.]

Region.	Total urban population.	Jewish urban population.	
		Number.	Per cent of total urban population.
Lithuania.....	595,742	297,980	50.0
White Russia.....	588,051	324,847	55.2
Southwestern Russia.....	1,398,717	502,830	35.9
Southern (new) Russia.....	1,612,613	453,980	28.2
Poland.....	2,158,662	813,375	37.7
Total.....	6,353,785	2,393,012	37.7

These data must be taken with many qualifications, for a great deal of uncertainty exists in regard to the Russian definition of the city. Many localities not dignified by the name of "gorod" (city) are known as "miestechko," and in these settlements the Jews have retained the right of domicile. These "miestechkos" have the economic function of the American village—i. e., they serve as the commercial, and, to a small degree, the industrial centers of the surrounding country. The Russian village, as is well known, is usually an agricultural community, and in these villages the Jew is prohibited from settling.

Interesting data that throw some light upon the concentration of Jews within the cities and the "miestechkos" have been gathered by the agents of the St. Petersburg committee of the Jewish Colonization Society.^(a) According to the reports of these agents, the urban Jewish population of the Pale at the end of the nineteenth century amounted to 3,809,361, or 77.8 per cent of the total Jewish population of the Pale in 1897.

JEWISH URBAN POPULATION IN THE PALE IN 1898 COMPARED WITH TOTAL JEWISH
POPULATION IN THE PALE IN 1897, BY REGIONS.

[The figures for 1897 are from Premier Recensement Général de la Population de l'Empire de Russie; those for 1898 are from the Report of the Jewish Colonization Society.]

Region.	Total Jewish population (1897).	Jewish urban population (1898).	
		Number.	Per cent of total Jewish population (1897).
Northwestern Russia (Lithuania and White Russia).....	1,422,431	1,213,054	85.3
Southwestern Russia.....	1,425,618	978,406	68.6
Southern (new) Russia.....	730,278	511,487	70.0
Poland.....	1,321,100	1,106,414	83.7
Total.....	4,899,427	3,809,361	77.8

^a In 1898 an extensive investigation into the economic condition of the Russian Jews was undertaken by agents of the society. As a result of these investigations two volumes were published in the spring of 1905, entitled "Sbornik Materialov ob Economicheskoy Polozhenii Evreev v Rossii" (Collection of material in regard to the economic condition of the Jews in Russia). These volumes contain a wealth of statistical information which has been freely used in this study. In fact the statistical data have been taken from these volumes unless otherwise credited.

In the following table is given the percentage which the urban Jews form of the total numbers of Jews in each region embraced within the Pale as shown by the census of 1897. The figures relate only to those cities that are incorporated:

JEWISH POPULATION OF INCORPORATED CITIES COMPARED WITH TOTAL JEWISH POPULATION IN THE PALE, BY REGIONS, 1897.

[Compiled from Premier Recensement Général de la Population de l'Empire de Russie, 1897.]

Region.	Total Jewish population.	Jewish population in incorporated cities.	
		Number.	Per cent of total Jewish population.
Lithuania.....	697,841	297,980	42.7
White Russia.....	724,590	324,847	44.8
Southwestern Russia.....	1,425,618	502,830	35.3
Southern (new) Russia.....	730,278	453,980	62.2
Poland.....	1,321,100	813,375	61.6
Total.....	4,899,427	2,393,012	48.8

It is almost certain that the data obtained in the private investigation are far from complete, and that the proportion of Jews living outside of the urban communities is considerably smaller than one-fifth. It is characteristic that the percentage of Jews living in rural districts is highest in the west and in the southwest, where, as will be shown, the Jews have attained considerable success in agricultural pursuits and where their general economic position is better. Of those Jews who have taken advantage of the right to migrate from their old homes in Poland and in Lithuania to the new region, a large proportion has evidently preferred the country to the city. This is significant as additional evidence of the fact (if additional evidence were necessary) that the remarkable concentration of Jews in the city is not a result of economic choice, or even economic necessity, but of enforced legislative limitations.

As was stated before, the Jews were a commercial and industrial race before they arrived in Poland, and therefore a strong element in urban population; but perhaps nowhere else have they become such a large part of the urban population as in western Russia.

JEWISH POPULATION COMPARED WITH TOTAL POPULATION OF CITIES INVESTIGATED BY JEWISH COLONIZATION SOCIETY, BY REGIONS, 1898.

Region.	Total population of cities investigated.	Jewish population of cities investigated.	
		Number.	Per cent of total population.
Northwestern Russia.....	2,093,259	1,213,054	57.9
Southwestern Russia.....	2,565,763	978,406	38.1
Southern (new) Russia.....	1,945,379	511,487	26.3
Poland.....	2,702,846	1,106,414	40.9
Total.....	9,307,247	3,809,361	40.9

The difference between these data and those of the official census is explained by the development of large cities both in Poland (Warsaw, Lodz, etc.) and in the south (Odessa and others). The Jewish "miestechko," with its economic stagnation and almost total absence of industry, is characteristic of the northwestern provinces. These little towns supply a large number of the Jewish emigrants to the United States.

The greatest congestion is found in the six northwestern provinces, where the Jews constitute almost three-fifths of the population of the cities. In Poland the recent development of textile industries has attracted to the cities a considerable element of German and Polish workingmen, while the mechanical, iron, and mining industries of the south have drawn upon the surrounding Russian peasantry. The congestion of Jews in the cities of Lithuania has been most acutely felt, especially since the May laws of 1882 and the stringent regulations of 1891, and it is, therefore, no coincidence that the region which shows the greatest percentage of Jews in cities also gives the greatest number of emigrants. Scarcely a Jewish family can be found in Lithuania that has not some members in the New World.

It must be remembered that the census data refer to the beginning of 1897, i. e., ten years ago. The well-known fecundity of the Jewish race on the one hand and the vast migratory element on the other must have introduced many important changes in the statistics of Jewish population, which can not be ascertained with any degree of accuracy. The census of 1897 was the first actual enumeration of population ever undertaken by the Russian Government, and it is therefore impossible to determine even the rate of increase. An official determination of the Jewish population was, however, made for Poland in 1890 and for the remaining fifteen provinces of the Pale in 1881, which gives some basis for comparison of the Jewish population at these dates with that of 1897, and upon which the approximate rate of increase may be computed.

JEWSH POPULATION IN THE PALE IN 1881 AND 1897, WITH NUMBER AND PER CENT OF INCREASE, BY REGIONS.

[The figures for 1881 and those for Poland in 1890 are taken from official publications of the Russian ministry of the interior.]

Region.	1881.	1897.	Increase in 16 years.	
			Number.	Per cent.
Northwestern Russia	1,243,007	1,422,431	179,424	14.4
Southwestern Russia	1,215,393	1,425,618	210,225	17.3
Southern Russia	453,765	730,278	276,513	60.9
Total	2,912,165	3,578,327	666,162	22.9
Poland	^a 1,134,268	1,321,100	^b 186,832	^b 16.5

^a In 1890.

^b Increase in 7 years.

An increase of 22.9 per cent during sixteen years equals about 1.4 per cent per year, a very moderate increase indeed. In Poland the increase (during seven years) in absolute figures was greater than in northwestern Russia during a period more than twice as long, the average annual increase being about 2.4 per cent. The average annual increase in northwestern Russia was less than 1 per cent. This remarkable difference is undoubtedly due to emigration, not only to foreign lands, but also to the southern provinces, since the growth of the number of Jews in the south by 60.9 per cent in sixteen years would have been impossible without considerable immigration from the northwestern region. There is some migration from Lithuania into the industrial region of Poland, notably the textile district of Lodz, but it is not very large, and there is probably a correspondingly large emigration of Polish Jews to the United States. The rate of increase shown by the Jews in Poland may, therefore, be considered fairly normal. The natural annual increase of the Jewish population in Russia would seem to amount to at least 100,000 or 110,000 persons, and in the ten years which have passed since the census of 1897 to a little over 1,000,000, but emigration must have considerably reduced this increase. The number of Russian-Jewish emigrants to the United States alone amounted to many hundreds of thousands, and there was a considerable emigration of Russian Jews to Great Britain, while slighter currents carried them to many other countries of the civilized world. At present the emigration to the United States alone is sufficient to offset the entire natural increase, the total emigration possibly causing a reduction of the Jewish population in Russia, not only in relative but in absolute figures. The last two years, however, were abnormal in a great many ways and can not be considered a fair measure of the normal Russian-Jewish emigration. During the years 1898 to 1902 the emigration was considerably smaller, and it may safely be assumed that the total Jewish population in Russia at present is about 5,500,000.

No less significant is the tendency of the Jewish population toward wider distribution. It has been shown above that the increase in southern (new) Russia was considerably greater than in the rest of the Pale. The comparison with the increase of the non-Jewish population emphasizes this point.

PER CENT OF INCREASE OF NON-JEWISH AND JEWISH POPULATION IN 15 PROVINCES OF THE PALE, 1881 TO 1897.

Region.	Per cent of increase.	
	Non-Jewish.	Jewish.
Northwestern Russia.....	22.7	14.4
Southwestern Russia.....	22.3	17.3
Southern (new) Russia.....	37.8	60.9
Total.....	26.0	22.9

Another investigator has subdivided the Provinces of the Pale (exclusive of Poland) into western, middle, and eastern Provinces, with the following results: (^a)

In five western Provinces the Jewish population increased 7.5 per cent; in four middle Provinces the Jewish population increased 29.3 per cent; in six eastern Provinces the Jewish population increased 46.8 per cent.

Notwithstanding the legal difficulties, the eastward pressure of the Jewish population is clearly felt within the limits rigidly prescribed by the Government. This in itself suffices to explain why of all the special legislation affecting the Jew that which limited his right of domicile caused bitter complaints even many years before the present acute struggle for the emancipation of the Jew began. If it be remembered that 125,000 Jews found the means to emigrate to the United States within one year—though the voyage requires considerable capital—it will be understood that upon the destruction of legal barriers there would follow a considerable migration to the interior of Russia, where the prizes offered to business enterprise or skilled trades are no smaller than in the United States. Still stronger is the tendency toward removal to the rural districts, as such movement means a closer proximity to the natural customer of the commercial and the industrial Jew. Notwithstanding the strict supervision exercised by the authorities, the efforts of the Jew to enter the forbidden regions in circumvention of existing legislation are frequent and persistent.

At first glance there appears to be no valid reason why the simple fact of the ethnic and religious homogeneity of 40, 50, or even 60 per cent of the population of some cities of western Russia should be considered a cause of economic distress. But when the involuntary nature of this concentration is understood the problem becomes much clearer.

OCCUPATIONS.

The historical origin of the strict Jewish exclusion laws is to be found in the spirit of religious antagonism which was perfectly natural in the stage of culture that existed in Russia before the nineteenth century. On the other hand, the spirit of isolation which was strong in the Jew of Poland and Lithuania was no less an obstacle to the diffusion of the Jewish population throughout Russia. During the first three-quarters of the nineteenth century gradual efforts were made on both sides to break down the wall between

^a See *Sbornik Materialov ob Economicheskoy Polozhenii Evreev v Rossii* (Collection of material in regard to the economic condition of the Jews in Russia). Vol. I, page xxxiv.

the Jews and the Russians. The Government recognized the advisability of utilizing the commercial talents, the industrial enterprise, and the professional skill of the Jew, which were to some degree lacking in the mass of the Russian people. Western culture gradually forced its way into the Jewish communities and for a time the ideal of Russification had most ardent supporters in the Jewish young generation. Since 1875 the conditions have considerably changed. The Jewish right of domicile throughout Russia has been subject to further limitations, as already mentioned, and these are defended on entirely different grounds. The religious argument was laid aside and the economic argument emphasized instead. The argument is that the entire Jewish race is a race of traders, and therefore exploiters, and that the free admission of the Jews into the interior of Russia would be to the extreme disadvantage of the entire Russian nation. It is argued that when inclosed within the narrow limits of the Pale and enjoined from entering the villages the injury of the exploiting Jew to the economic well-being of the Russian peasant would be reduced to a minimum. This line of argument has been circulated even beyond the boundaries of Russia and undoubtedly not without some influence upon the public mind. This makes the data in regard to the occupations of the Russian Jews important and doubly interesting.

TOTAL JEWISH POPULATION AND NUMBER ENGAGED IN GAINFUL OCCUPATIONS,
BY OCCUPATIONS, 1897.

[From the Premier Recensement Général de la Population de l'Empire de Russie, 1897.]

Class No.	Occupation.	Persons engaged in gainful occupations.			Members of their families.	Total.
		Male.	Female.	Total.		
1	Administration, justice, and police	890	18	908	2,609	3,517
2	Municipal and local civil service	1,667	12	1,679	5,844	7,523
3	Private law practice	1,028	9	1,037	3,268	4,305
4	Army and navy	53,194	.....	53,194	1,083	54,277
5	Clergymen, orthodox	173	21	194	510	704
6	Clergymen, other Christian	82	2	84	204	288
7	Clergymen, non-Christian	6,030	2	6,032	20,182	26,214
8	Persons serving about churches, etc.	13,907	196	14,103	47,594	61,697
9	Teachers and educators	33,609	1,664	35,273	90,241	125,514
10	Science, literature, and art	2,704	166	2,870	5,252	8,122
11	Medical and sanitary work	6,854	2,916	9,770	16,415	26,185
12	Service for charitable organizations	163	34	197	432	629
13	Personal and domestic service	61,992	113,740	175,732	159,105	334,837
14	Living on income from capital or supported by relatives	33,346	25,074	58,420	113,485	171,905
15	Supported by the treasury or by charitable institutions	11,371	8,765	20,136	5,998	26,134
16	Prisoners and convicts	3,907	414	4,321	102	4,423
17	Agriculture	29,047	4,054	33,101	130,925	164,026
18	Agriculture and sericulture	61	5	66	119	185
19	Cattle raising, etc.	1,789	305	2,094	5,031	7,125
20	Forestry and forest industries	3,291	89	3,380	9,496	12,876
21	Fishing and hunting	1,955	15	1,970	6,539	8,509
22	Mining	1,331	50	1,381	3,873	5,254
23	Metal smelting	37	.....	37	92	129
24	Manufactures of animal products	20,771	705	21,476	50,744	72,220
25	Manufactures of wood	41,506	1,019	42,525	96,951	139,476
26	Textile industry	21,454	13,158	34,612	58,686	93,298
27	Manufactures of metal	42,828	621	43,449	104,880	148,329
28	Pottery and ceramic industry	5,017	341	5,358	15,333	20,691

TOTAL JEWISH POPULATION AND NUMBER ENGAGED IN GAINFUL OCCUPATIONS,
BY OCCUPATIONS, 1897—Concluded.

Class No.	Occupation.	Persons engaged in gainful occupations.			Members of their families.	Total.
		Male.	Female.	Total.		
29	Chemical industry.....	5,137	1,843	6,980	13,742	20,722
30	Production of spirituous liquors.....	3,972	116	4,088	12,225	16,313
31	Production of other beverages.....	2,239	255	2,494	7,170	9,664
32	Production of foods, animal and vegetable..	38,713	7,443	46,156	137,160	183,316
33	Tobacco, and tobacco manufactures.....	4,432	3,424	7,856	9,690	17,546
34	Printing and paper industries.....	13,487	2,222	15,709	25,804	41,513
35	Scientific instruments, watches, and toys..	7,143	73	7,216	14,245	21,461
36	Jewelry, painting, articles of luxury, etc...	6,349	162	6,511	12,026	18,537
37	Manufacture of clothing.....	202,714	51,670	254,384	528,070	782,454
38	Building industry.....	38,847	172	39,019	113,659	152,678
39	Carriage and wooden ship making.....	245	5	250	723	973
40	All other persons employed in manufactur- ing industry (manufacturers, clerical em- ployees, etc.).....	2,588	474	3,062	5,967	9,029
41	Transportation by water.....	2,020	30	2,050	7,702	9,752
42	Railroad employees.....	1,807	49	1,856	5,128	6,984
43	Carting and draying.....	38,050	337	38,387	132,337	170,724
44	All other means of communication and transportation.....	3,293	32	3,325	9,379	12,704
45	Post, telegraph, and telephone.....	310	16	326	818	1,144
46	Institutions of credit and insurance.....	2,299	109	2,408	5,376	7,784
47	Commercial middlemen.....	15,423	552	15,975	53,581	69,556
48	General commerce.....	80,637	15,578	96,215	302,722	398,937
49	Cattle trading.....	15,745	172	15,917	62,669	78,586
50	Trading in grain.....	46,483	2,480	48,963	172,624	221,587
51	Trading in all other agricultural products..	115,343	29,716	145,059	442,048	587,107
52	Trading in structural material and in fuel..	27,051	662	27,713	94,094	121,807
53	Trading in various goods for domestic use..	4,810	1,043	5,853	15,967	21,820
54	Trading in metal goods, machinery, and arms.....	6,298	551	6,849	20,899	27,748
55	Trading in textiles and clothing.....	38,470	5,713	44,183	114,700	158,883
56	Trading in furs, leather, etc.....	11,774	777	12,551	42,153	54,704
57	Trading in articles of luxury, science, arts, etc.....	2,776	289	3,065	7,695	10,760
58	Trading in other goods.....	6,953	619	7,572	19,979	27,551
59	Peddlers and hucksters.....	14,812	5,058	19,870	49,850	69,720
60	Hotel and restaurant keepers.....	8,534	1,970	10,504	32,682	43,186
61	Dealers in spirituous liquors.....	10,802	1,334	12,136	44,440	56,576
62	Cleanliness and hygiene.....	5,489	3,508	8,997	18,237	27,234
63	Indefinite occupations.....	12,276	4,430	16,706	25,770	42,476
64	Prostitutes.....	128	1,148	1,276	488	1,764
65	Occupations unknown.....	7,484	7,943	15,427	16,037	31,464
Total.....		1,204,937	325,370	1,530,307	3,532,849	5,063,156

For a concise and clear statement of the main facts of this table it has been thought desirable to prepare a table that will be, as far as possible, comparable with the occupation grouping of the United States census. For this purpose it was necessary to eliminate several classes that are omitted in United States occupation statistics, namely, class 14, "living on income from capital, or supported by relatives;" class 15, "supported by the treasury or by private charitable institutions;" class 16, "prisoners and convicts;" class 64, "prostitutes;" and class 65, "occupations unknown."

The one deviation from the United States system permitted is the distinction between those occupied in commerce and those in transportation.

With these modifications the distribution of the Russian Jews into the main occupation groups is as follows:

NUMBER AND PER CENT OF JEWS IN THE RUSSIAN EMPIRE ENGAGED IN EACH GROUP OF GAINFUL OCCUPATIONS, BY SEX, 1897.

[Compiled from Premier Recensement Général de la Population de l'Empire de Russie, 1897.]

Class Nos.	Group of occupations.	Males.	Per cent.	Females.	Per cent.	Total.	Per cent.
17-21	Agrieultural pursuits.....	36,143	3.1	4,468	1.6	40,611	2.9
1-3, 5-11	Professional service.....	66,944	5.8	5,006	1.8	71,950	5.0
4, 12, 13, 60-63	} Personal service(a).....	152,450	13.3	125,016	44.3	277,466	19.4
22-40		458,810	39.9	83,753	29.7	542,563	37.9
41-45	Transportation.....	45,480	4.0	464	.2	45,944	3.2
46-59	Commercial pursuits(a).....	388,874	33.9	63,319	22.4	452,193	31.6
	Total.....	1,148,701	100.0	282,026	100.0	1,430,727	100.0

a In order to make figures comparable with figures in the United States census, hotel, restaurant, and saloon keepers are included in personal service.

In view of the theory generally accepted both in Russia and in the United States that the European Jew is in the majority of cases a merchant and only in America is transformed into a productive worker, it is important to emphasize the fact that of those who were employed in 1897 only one-third of the males and less than one-fourth of the females were occupied in commercial undertakings, or only 31.6 per cent of all the Jews employed, while the manufacturing and mechanical pursuits claimed almost two-fifths of those engaged in gainful occupations.

The small number of Jews engaged in agriculture is clearly brought out in the table. The economic function of the Jewish population of Russia may be further elucidated by a comparison of the occupation statistics of the Jews with those of the non-Jewish population of Russia.

NUMBER AND PER CENT OF JEWS AND OF OTHER PERSONS IN THE RUSSIAN EMPIRE ENGAGED IN EACH GROUP OF GAINFUL OCCUPATIONS, 1897.

[Compiled from Premier Recensement Général de la Population de l'Empire de Russie, 1897.]

Group of occupations.	Persons other than Jews.	Per cent.	Jews.	Per cent.
Agricultural pursuits.....	18,204,676	60.5	40,611	2.9
Professional service.....	916,863	3.0	71,950	5.0
Personal service(a).....	4,872,546	16.2	277,466	19.4
Manufacturing and mechanical pursuits.....	4,627,356	15.4	542,563	37.9
Transportation.....	668,801	2.2	45,944	3.2
Commerce(a).....	804,137	2.7	452,193	31.6
Total.....	30,094,379	100.0	1,430,727	100.0

a In order to make figures comparable with figures in the United States census, hotel, restaurant, and saloon keepers are included in personal service.

According to this table, 60.5 per cent of the non-Jewish population in gainful occupations in Russia were engaged in agriculture, while of the Jews 2.9 per cent were so employed. Of persons other than Jews

only 2.7 per cent were engaged in commerce, while 31.6 per cent of the Jews were so engaged. The proportion of Jews in manufacturing and mechanical pursuits was nearly two and a half times as great as that of persons other than Jews employed in those pursuits. Although the Jews constitute only a little over 4 per cent of the entire Russian population, the number of Jews employed in manufacturing and mechanical pursuits is 10.5 per cent of the total population so engaged and the Jews engaged in commerce represent 36 per cent of the whole commercial class. The table shows, however, that the entire commercial class in Russia constitutes only 4 per cent and the Jews engaged in commerce only 1.4 per cent of the total number of persons in gainful occupations in Russia.

Since the Jews occupy but a small portion of the vast Empire, a comparison limited to that portion seems to promise more practical results.

NUMBER AND PER CENT OF JEWS AND OF OTHER PERSONS IN THE PALE ENGAGED
IN EACH GROUP OF GAINFUL OCCUPATIONS, 1897.

[Compiled from Premier Recensement Général de la Population de l'Empire de Russie, 1897.]

Group of occupations.	Total employed.	Per cent.	Jews.	Per cent.	Persons other than Jews.	Per cent.
Agricultural pursuits.....	6,071,413	55.9	38,538	2.9	6,032,875	63.2
Professional service.....	317,710	2.9	67,238	5.1	250,472	2.6
Personal service ^(a)	2,139,981	19.7	250,078	18.8	1,889,903	19.8
Manufacturing and mechanical pursuits..	1,573,519	14.4	504,844	37.9	1,068,675	11.2
Transportation.....	211,983	2.0	44,177	3.3	167,806	1.8
Commerce ^(a)	556,086	5.1	426,628	32.0	129,458	1.4
Total.....	10,870,692	100.0	1,331,503	100.0	9,539,189	100.0

^a In order to make figures comparable with figures in the United States census, hotel, restaurant, and saloon keepers are included in personal service; hence the totals for commerce in this table do not agree with those given in the tables on pages 554 and 556.

With a commercial class that amounts to only 5.1 per cent of the working population of the Pale, the claim of the overcrowding of that class would hardly seem justified, and the Jews inhabiting the large cities naturally fill this class. Within the Pale the Jews employed in commerce constitute more than four-fifths of all persons so employed, and in the industrial class (manufacturing and mechanical pursuits) more than one-third.

In reality the contrast between the number of Jews employed in the various groups of occupations and the number of persons other than Jews employed in the same groups is still stronger than these tables indicate, because of the peculiarities of the Russian occupation statistics. In the class of persons employed all persons actually working are not reported, but only the "self-dependent" ones. Thus, of a large agricultural family, containing from three to six adult workers, only one person—the head of the family—is reported as "employed in family," while in the United States census all persons

occupied in farm work would be so reported. If the children and dependents are added, the agricultural class swells considerably, and the percentage of the commercial class is correspondingly reduced.

An analysis of the statistics of the occupations of the Jews by separate regions shows that, while there is a general uniformity, there are characteristic differences in the distribution, especially in the comparative proportions of the industrial and commercial classes. In the northwest, namely, in Lithuania and in White Russia, the industrial occupations claim a much greater proportion of the employed than commerce (44.2 per cent against 23.8 per cent and 42.2 per cent against 27.4 per cent, respectively). This difference is significant in view of the greater congestion of the Jews in the northwest and their lower economic condition, as will be indicated in another section. It will be shown that in these Provinces there is a process of rapid shifting from the commercial pursuits to industrial work, and here also the labor movement is strongest. It is from these Provinces that until very recently emigration to the United States was strongest. The following table shows the distribution of Jews in the various occupation groups for each region of the Pale and for Russia outside of the Pale:

NUMBER AND PER CENT OF JEWS IN EACH GROUP OF GAINFUL OCCUPATIONS IN THE PALE, BY REGIONS, AND IN RUSSIA OUTSIDE OF THE PALE, 1897.

[Compiled from the separate reports on Provinces of Premier Recensement Général de la Population de l'Empire de Russie, 1897.]

Groups of gainful occupations.	Lithuania.		White Russia.		Southwestern Russia.		Southern (new) Russia.	
	Number.	Per cent.	Number.	Per cent.	Number.	Per cent.	Number.	Per cent.
Agricultural pursuits	8,279	4.0	8,223	4.2	6,427	1.7	9,614	4.5
Professional service.....	10,455	5.1	11,556	5.8	21,226	5.6	10,571	4.9
Personal service(a)	38,819	19.0	31,865	16.1	62,112	16.5	37,473	17.5
Manufacturing and mechanical pursuits	90,322	44.2	83,656	42.2	132,787	35.3	74,361	34.7
Transportation.....	8,053	3.9	8,507	4.3	11,481	3.1	6,202	2.9
Commerce(a)	48,608	23.8	54,359	27.4	142,368	37.8	76,151	35.5
Total.....	204,536	100.0	198,166	100.0	376,401	100.0	214,372	100.0

Groups of gainful occupations.	Poland.		Pale.		Russia outside of Pale.		Russian Empire.	
	Number.	Per cent.	Number.	Per cent.	Number.	Per cent.	Number.	Per cent.
Agricultural pursuits	5,995	1.8	38,538	2.9	2,073	2.1	40,611	2.9
Professional service.....	13,430	4.0	67,238	5.1	4,712	4.7	71,950	5.0
Personal service(a)	79,809	23.6	250,078	18.8	27,388	27.6	277,466	19.4
Manufacturing and mechanical pursuits	123,718	36.6	504,844	37.9	37,719	38.0	542,563	37.9
Transportation.....	9,934	2.9	44,177	3.3	1,767	1.8	45,944	3.2
Commerce(a)	105,142	31.1	426,628	32.0	25,565	26.8	452,193	31.6
Total.....	338,028	100.0	1,331,503	100.0	99,224	100.0	1,430,727	100.0

aIn order to make figures comparable with figures in the United States census, hotel, restaurant, and saloon keepers are included in personal service.
bThis total does not agree with that shown in the tables on pages 554 and 556 for the reason stated in note a.

In this connection it is interesting to determine from which of the occupation groups the largest part of the Russian-Jewish immigrants in the United States is drawn. This not only has a practical bearing upon the American problem of immigration, but also is of importance from the Russian point of view as a method of determining the effect of this emigration upon the economic make-up of the Jewish Pale in Russia.

Up to 1898 the reports of the United States Commissioner of Immigration have given the statistics of occupation by countries of origin, and since then by nationality. Neither method is altogether satisfactory when the occupations of the Russian Jews are to be determined. But as the Jewish immigrants from Russia during the six years 1901-1906 constituted 71.9 per cent of all the Jewish immigrants, the figures showing the occupations of all the Jews who came into the United States during that period are at least suggestive of the occupations of the Russian Jews:

NUMBER OF JEWS ARRIVING IN THE UNITED STATES DURING EACH OF THE YEARS ENDING JUNE 30, 1901 to 1906, BY OCCUPATIONS.

[From Annual Reports of the Commissioner-General of Immigration.]

Occupation.	1901.	1902.	1903.	1904.	1905.	1906.
Professions:						
Actors.....	20	4	16	28	25	23
Clergy.....	5	14	27	51	57	52
Editors.....	2	3	4	13	23	10
Engineers and electricians.....	30	38	81	98	123	116
Lawyers.....	2	1	2	6	7	3
Musicians.....	61	52	108	260	342	227
Physicians.....	12	6	9	70	94	40
Sculptors and artists.....	16	25	31	36	47	43
Teachers.....	103	98	147	211	322	333
Not specified.....	43	38	74	70	123	247
Total.....	294	279	499	843	1,163	1,094
Skilled trades:						
Bakers.....	627	592	937	1,173	1,460	1,102
Barbers and hairdressers.....	164	172	266	403	578	594
Blacksmiths.....	519	434	695	826	1,568	840
Bookbinders.....				535	705	587
Brewers.....	10	14	14	19	32	37
Butchers.....	525	591	743	1,401	2,036	1,237
Cabinetmakers, carpenters, etc.....	1,874	2,018	2,600	4,632	6,289	5,462
Clerks, accountants, etc.....	618	549	1,060	1,838	2,512	2,288
Engineers and firemen.....				84	110	77
Engravers.....	22	14	23	20	40	48
Furriers.....				410	620	530
Gardeners.....	17	17	19	26	43	38
Hat and cap makers.....				683	1,009	718
Ironworkers.....	8	26	22	148	95	75
Jewelers.....	152	170	193	179	193	181
Locksmiths.....	315	315	691	1,337	1,589	1,314
Machinists.....	142	96	166	254	366	193
Mariners.....	33	14	13	71	52	75
Masons.....	75	111	153	296	469	431
Mechanics (not specified).....	149	84	159	108	129	121
Metal workers (other than iron, steel, or tin).....				419	559	403
Millers.....	88	62	85	140	211	138
Milliners.....				101	273	488
Miners.....	19	12	13	19	15	45
Painters and glaziers.....	799	808	1,131	1,970	2,849	2,297
Photographers.....				145	214	219
Plasterers.....	1	1	5	14	11	17
Plumbers.....	18	16	39	59	93	77
Printers.....	91	91	154	303	387	393
Saddlers and harness makers.....	104	109	206	281	358	256
Seamstresses and dressmakers.....	1,811	1,704	3,315	3,814	3,657	5,845
Shipwrights.....	2					1

NUMBER OF JEWS ARRIVING IN THE UNITED STATES DURING EACH OF THE YEARS ENDING JUNE 30, 1901 TO 1906, BY OCCUPATIONS—Concluded.

Occupation.	1901.	1902.	1903.	1904.	1905.	1906.
Skilled trades—Concluded.						
Shoemakers.....	1, 284	1, 285	1, 614	2, 763	3, 824	2, 353
Stonecutters.....	10	12	21	24	32	21
Tailors.....	5, 981	6, 110	9, 233	16, 426	22, 334	18, 418
Tanners and curriers.....	341	270	497	347	531	254
Tinners.....	427	517	727	882	1, 016	832
Tobacco manufacturers.....	297	232	346	532	651	560
Upholsterers.....				229	253	228
Watch and clock makers.....	249	196	333	561	667	720
Weavers and spinners and other textile workers.....	172	127	287	481	963	620
Wheelwrights.....	9	19	31	28	74	51
Woodworkers.....				271	283	213
Not specified.....	1, 399	1, 053	1, 280	857	985	744
Total.....	18, 352	17, 841	27, 071	45, 109	60, 135	51, 141
Miscellaneous:						
Agents.....	8	4	6	26	31	82
Bankers.....			1	7	5	10
Draymen, hackmen, etc.....				33	61	44
Farmers.....	78	58	46	65	122	168
Farm laborers.....	301	317	334	296	498	1, 712
Hotel keepers.....	18	11	20	18	24	29
Laborers.....	3, 906	5, 316	6, 664	8, 371	8, 159	8, 378
Manufacturers.....				74	90	47
Merchants.....	1, 999	2, 246	2, 363	3, 464	4, 596	3, 495
Servants.....	889	5, 122	7, 039	9, 292	8, 000	9, 839
Not specified.....	546	542	1, 008	153	155	566
Total.....	7, 745	13, 616	17, 481	21, 799	21, 741	24, 370
No occupation.....	31, 707	25, 952	31, 152	38, 485	46, 871	77, 143
Total Hebrew immigrants.....	58, 098	57, 688	76, 203	106, 236	129, 910	153, 748

It appears that 63.0 per cent of the Jewish immigrants during the period 1901 to 1906 who were fit to pursue a gainful occupation belong to the class of industrial workers, and undoubtedly a large proportion of the common laborers classified with personal service (according to the scheme followed by the United States census) are in reality industrial workers.

In the following table the occupations in the preceding table have been grouped in accordance with the scheme of the Twelfth Census of the United States:

NUMBER AND PER CENT OF JEWISH IMMIGRANTS TO THE UNITED STATES ENGAGED IN EACH GROUP OF OCCUPATIONS FOR THE PERIOD 1901 TO 1906.

[Compiled from data presented in Annual Reports of the Commissioner-General of Immigration.]

Group of occupations.	Number.	Per cent.
Agricultural pursuits.....	4, 155	1.3
Professional service.....	4, 172	1.3
Domestic and personal service.....	83, 272	25.2
Trade and transportation.....	27, 557	8.3
Manufacturing and mechanical pursuits.....	208, 447	63.0
Miscellaneous.....	2, 970	.9
Total.....	330, 573	100.0

The statement has often been made that in the United States the Russian Jew has for the first time learned manual labor. The statistics of the occupations in Russia, as well as those of the United

States Bureau of Immigration, show that such a statement is not warranted. While the point of religion has not been touched upon, a study of the data presented in the Twelfth Census of the United States relative to the occupation of the Russian Jews in New York City shows that skilled and unskilled labor predominate in the various means employed by these Jews in order to earn a livelihood. A great deal of statistical information in regard to the Russian Jews in New York City may be obtained from the report on "Occupations," since in that report the persons employed in gainful occupations are classified by nativity. As the natives of Finland, Russia, and Poland entering the United States are separately reported, and as immigration of other nationalities from Russia has been very small until recently, and since few Lithuanians and Germans who arrive from Russia remain in New York City, the groups of persons in New York City designated as natives of Russia may be taken as equivalent to the Jews.

The following table shows the per cent of all nationalities and of Russians in New York City engaged in each group of gainful occupations in 1900:

PER CENT OF ALL NATIONALITIES AND OF RUSSIANS IN NEW YORK CITY ENGAGED IN EACH GROUP OF OCCUPATIONS, BY SEX, 1900.

[Compiled from data presented in Report on Occupations, Twelfth Census of the United States, 1900.]

Group of occupations.	Males.		Females.		Total.	
	All nationalities.	Russians.	All nationalities.	Russians.	All nationalities.	Russians.
Agricultural pursuits.....	0.9	0.3	0.1	0.2	0.7	0.3
Professional service.....	5.5	3.0	6.1	1.5	5.7	2.7
Domestic and personal service.....	18.7	5.1	39.9	12.5	24.0	6.7
Trade and transportation.....	36.8	30.5	17.8	14.5	32.0	27.0
Manufacturing and mechanical pursuits..	38.1	61.1	36.1	71.3	37.6	63.3
Total.....	100.0	100.0	100.0	100.0	100.0	100.0

The difference becomes still greater when the percentage of Russians is compared not with that of the entire working population, but with the percentage of all the other elements of the New York City population engaged in gainful occupations:

PER CENT OF RUSSIANS AND OF ALL OTHER NATIONALITIES IN NEW YORK CITY ENGAGED IN EACH GROUP OF OCCUPATIONS, 1900.

[Compiled from data presented in Report on Occupations, Twelfth Census of the United States, 1900.]

Group of occupations.	Russians.	All other nationalities.
Agricultural pursuits.....	0.3	0.7
Professional service.....	2.7	5.9
Domestic and personal service.....	6.7	25.2
Trade and transportation.....	27.0	32.4
Manufacturing and mechanical pursuits.....	63.3	35.8
Total.....	100.0	100.0

The claim has also been made that the choice of occupations is primarily a question of national predilection, and from this point of view the tendency of the Russian Jew to go into trade has been usually judged. While it has been shown above how greatly exaggerated this supposed tendency is, the data in regard to the occupations of the Russian Jews in New York City seem to furnish strong evidence that economic conditions, such as opportunities and local demand, have a much more decisive influence than mere national predilection, and that even the latter may be nothing more than the result of the accumulated effect of economic conditions, such as have forced the Russian Jew into commercial pursuits and have often kept him there even after those pursuits have ceased to be profitable. Yet the rapid shifting of the Jew into mechanical industry both in Russia and in this country indicates that the influence of these historic conditions can not be as strong as is generally believed.

Another noteworthy feature revealed by the United States census is the characteristic dislike of the Russian Jew, and still more of the Jewess, to enter domestic service. While a great number of domestic servants register at the immigration stations, most of them seem to drift rapidly into other occupations, preferring the more onerous but more independent existence of an industrial workingman or working-woman to that of a household servant.

AGRICULTURE.

AGRICULTURAL COLONIES.

Numerically, the farmers do not represent a very considerable proportion of the Jewish race in Russia; but in view of the almost universal conviction that the Jewish character is incompatible with agricultural pursuits, it will be a revelation to many Americans to learn that there are more than 40,000 Jews in Russia who are independently employed in farming and that more than 150,000 persons are supported by them, so that altogether over 190,000 persons of Jewish faith derive their subsistence from agricultural pursuits. This fact makes the data in regard to Jewish agriculture not only interesting, but of practical importance to the people of the United States. The condition of the Jewish farmers in Russia has been the subject of many thorough investigations, the most recent and exhaustive being that made by the St. Petersburg committee of the Jewish Colonization Society. The data for this investigation were gathered by a house-to-house canvass at the end of the last century and the results were published in 1904. This source will be mainly relied upon for statistical information as to agricultural conditions.

When Russia, by the annexation of a portion of Poland, acquired authority over a large Jewish population, the Jews represented the commercial and the industrial classes of Poland. During the first half of the nineteenth century the acknowledged effort of the Russian Government was to break up Jewish exclusiveness and encourage the assimilation of the Jews with the Russian people.

A part of this policy was the effort to attract Jews to agricultural pursuits, and to this end purchase and rental of land by Jews were encouraged by Alexander I and by Nicholas I. During the reign of the former the law of December 9, 1804, was passed, a law which not only permitted the settlement and the buying of land by Jews in new Russia, but created a fund for the settlement of Jews in agricultural colonies in that sparsely settled part of the Empire. Special inducements also were offered to Jewish colonists, as, for instance, freedom from military service for twenty-five and even fifty years. Several colonies were established, and by 1810 about 1,700 Jewish families were settled on the lands of the Province of Kherson.

In that year the transfer of Jews to new Russia was discontinued because of the exhaustion of the funds assigned. In 1823 a grant of 50,000 rubles made possible the further settlement of about 500 Jewish families.

This concluded the experiments of colonizing new Russia with Jews during the reign of Alexander I. During the reign of his successor, Nicholas I, similar efforts, assisted by private benevolence, were directed toward voluntary settlement of Jews in country districts, and in the forties, in accordance with the provisions of the law of April 13 (25), 1835, several colonies were established in the Provinces of Kherson and Yekaterinoslav. These efforts, at least as far as new Russia was concerned, were discontinued in 1865. The experiment of sending Jewish would-be agriculturists to Siberia, which was undertaken in 1835, was abandoned in the following year. In new Russia the number of colonies grew from 15 in 1847 to 371 in 1865. The law of 1835 was also operative in the western Provinces, but the condition of the soil and the life of agricultural classes in that region were not such as to attract the Jews. In 1859 the settlement of Jews on Government lands in the western region was stopped, and in 1864 the colonizing of Jews on private lands was prohibited.

The attitude of the Government toward the question of colonizing Jews and attracting them to an agricultural life has evidently changed. The reason usually given for this change was the small attendant success. When the radical nature of the experiment is considered, it seems evident that the process could not prove immediately successful. The evidences of the desire to engage in agricultural pursuits were many, and toward the second half of the nineteenth century a general decline of the prosperity of the urban Jew,

caused by the Polish insurrection, created the proper conditions for Jewish land settlement, but unfortunately the attitude of the Government had changed. Finally, the May laws of 1882, while they did not affect the colonies as such, put an end to the application of Jewish private enterprise and capital to land ownership and farming, which had been making rapid strides contemporaneously with, but independently of, the colonies. These laws prohibited the Jews from buying or renting lands outside of the limits of the cities and incorporated towns (the so-called “miestechkos.”) These temporary rules, which extended to the 15 Provinces of western Russia, exclusive of Poland, were never repealed, and in 1891 the Jews were prohibited from buying or renting land from the peasants in Poland.

The size of the homestead is one of the main factors in the economic situation of a farmer. The standard of agricultural technique prevailing in Russia makes intensive agriculture almost an impossibility and demands a large farm. A hundred years ago agricultural methods in Russia were still more primitive than they are now, and it was hardly to be expected that the Jew, as a beginner in agriculture, would immediately excel his Russian neighbor in the methods of tilling the soil. In the Province of Kherson, where nearly 25 per cent of all the Jewish “colonists” are located, and where on the whole they have been most successful, the original “colonists” were granted homesteads of 30 dessiatines (81.06 acres), but the increase of population, division of households, etc., have considerably decreased the size of the land holdings of the farmers. In the western region the average size of a lot on which the Jewish colonist started his agricultural career was still smaller, usually about 20 dessiatines (54.04 acres).

The following table shows the total number of Jewish colonies, the number of Jewish peasant families, and the area of land in their possession:

NUMBER OF JEWISH COLONIES, HOUSEHOLDS, AND MEMBERS, AND ACRES HELD BY THE COLONISTS, BY REGIONS, 1898.

Region.	Number of colonies.	Households.		Number of acres.
		Number.	Members.	
Northwestern Provinces.....	188	2, 731	18, 504	66, 012. 5
Southwestern Provinces.....	60	2, 227	12, 155	31, 975. 5
Southern (new) Russia.....	48	5, 592	32, 683	171, 390. 6
Poland.....	(a)	2, 509	12, 545	36, 028. 5
Total.....	b 296	13, 059	75, 887	305, 407. 1

a Not reported.

b Not including colonists in Poland not reported.

In new Russia the average holding per household is 11.34 dessiatines (30.6 acres), while in the northwestern Provinces the average farm is but 8.95 dessiatines (24.2 acres), although the quality

of the land is much inferior to that of the black soil of new Russia. In the southwestern Provinces, as well as in Poland, the average size of a farm is only 5.31 dessiatines (14.3 acres). The average farm of the Jewish peasant, therefore, contains no more than 8.66 dessiatines (23.4 acres).

Of all the experiments to turn the Jew to an agricultural life the colonies established in the Province of Kherson were placed under the most favorable conditions and gave the best results. These colonies deserve, therefore, detailed description. The colonies were started with an allotment from the Government of 30 dessiatines (81.06 acres) for each family, but under the influence of varying conditions this equality did not persist very long. There began in the Jewish colonies the same process of differentiation that is characteristic of the entire Russian peasantry, so that only a portion of the colonists' households are provided with sufficient land to make a practical success of farming. This is clearly shown in the following table:

NUMBER AND PER CENT OF JEWISH HOUSEHOLDS AND OF ACRES OWNED, AND AVERAGE SIZE OF HOLDING, IN THE COLONIES OF KHERSON, BY GROUPS OF HOUSEHOLDS, 1898.

Households owning—	Households.		Acres owned.		Average holding (acres).
	Number.	Per cent.	Number.	Per cent.	
No land.....	611	19.2	.....	.....	.....
Less than 13.5 acres.....	483	15.2	4,923	5.1	10.2
13.5 to 27 acres.....	836	26.2	19,172	19.8	22.9
27 to 54 acres.....	728	22.8	30,069	31.0	41.3
54 acres or over.....	529	16.6	42,846	44.1	81.0
Total.....	3,187	100.0	97,010	100.0	30.4

Only one-sixth of the households own at present 54 acres or more per family, and this one-sixth owns 44.1 per cent of the entire land of the colonies. Many of the farmers have extended their activity by renting, since 1,165 households were found to rent additional land, the total area rented in 1898 amounting to 25,203 $\frac{1}{2}$ dessiatines (68,099.2 acres). On the other hand, 811 households let out a part or the whole of their holdings, the total area let out amounting to but 7,524 $\frac{1}{2}$ dessiatines (20,331.2 acres). If the amount let out is subtracted from the amount rented there is shown a net increase in holdings due to rentals of 17,678 $\frac{3}{4}$ dessiatines (47,768.0 acres), or an average for the 3,187 households of 5.5 dessiatines (14.9 acres).

The following table shows the effect of the renting of land upon the average size of the farming establishments:

AVERAGE SIZE OF ALLOTMENTS OWNED, AVERAGE NET INCREASE DUE TO RENTALS, AND AVERAGE SIZE OF TOTAL HOLDINGS IN THE COLONIES OF KHERSON, BY GROUPS OF HOUSEHOLDS, 1898.

[The "average net increase due to rentals" is the excess of the amount of land rented over the amount let out.]

Households owning—	Average size of allotment owned (acres).	Average net increase due to rentals (acres).	Average total holdings (acres).
No land.....		25.7	25.7
Less than 13.5 acres.....	10.2	22.4	32.6
13.5 to 27 acres.....	22.9	20.0	42.9
27 to 54 acres.....	41.3	8.6	49.9
54 acres or over.....	81.0	^a 3.5	77.5
Total.....	30.4	14.9	45.3

^a Excess of land let out over land rented.

Agricultural pursuits are not congenial to all colonists in the same degree. While there are undoubtedly many who prefer to lease their comparatively large holdings, which they are prohibited by law from selling, there is a sufficient number of others who are anxious to apply their labor to farming on rented land.

If the condition of the surrounding Russian peasantry be taken as a basis of comparison, these Jewish peasants are fairly well provided with working live stock, the average number of horses per family being 2.28. Yet there are 1,018 households that do not possess any horses at all, and 216 that possess only one horse each, so that only 1,953 or 61.3 per cent of the households own two horses or more.

In the character of their agricultural methods, the kind of implements they use, and the crops they grow, the Jewish peasants of these colonies of the Province of Kherson differ little from their Russian neighbors, from whom they received their first lessons in agriculture. Like the Russian peasants, the Jews plant more than two-thirds of their land in cereals, the rest being left for grazing purposes; but grass sowing is almost unknown. The climate of Kherson is well fitted for spring crops, and the colonists plant more than four-fifths of their cultivated land in spring wheat, barley, and other spring cereals; and practically all the rest in winter cereals. According to a comparison made in 1898 by the statistician of the Province of Kherson, the Jewish colonists planted in cereals 98.3 per cent of their land under cultivation; the Russian peasants of the same district, 96.4 per cent; the Bulgarian peasants, of whom a number live in the same Province, 99.9 per cent, and the German colonists, 92.4 per cent.

From the implements these farmers use may be judged the primitive methods of tilling the soil. Sixty-three per cent of the households

did not own any implements for plowing the ground and had to borrow them for temporary use. In all the colonies of Kherson there were found only 632 plows, and 1,137 so-called "bukkers," peculiar plowing implements of southern Russia which scarcely do more than scratch the soil. Almost 80 per cent of the land under cultivation had been plowed with these "bukkers," and only 20 per cent with regular steel plows. The extremely short time during which the harvest must be gathered in southern Russia made the introduction of harvesting machines an absolute necessity. The thrashing is still done in the most primitive fashion. The harvested grain is spread over a suitable piece of ground and horses harnessed to iron rollers are driven over the straw, the horses' hoofs cooperating with the heavy metal rollers in separating the seed from the straw.

The returns from agriculture can not be very great, when such methods are used. According to official statistics the average yield of cereals in the Province of Kherson in 1898 was as follows:

	Bushels per acre.
On private estates.....	9.9
On lands of German colonists.....	9.1
On lands of Bulgarians.....	7.6
On lands of Jewish colonists.....	7.5
On lands of Russian peasants.....	6.8

According to these figures the Jews show better results than the Russian peasants, whose only occupation for many centuries was agriculture.

Whatever the returns, it is important to know that the majority of the colonists make use only of their own labor in tilling their land. Very few colonists, mainly those whose possessions are considerably above the average, employ hired labor all the year round. The number of such households is only 210, or 6.6 per cent of the total, and the average number of laborers employed per household is 1.82. The number of families that are forced to hire additional labor during the season of plowing, or more especially, of harvesting and thrashing, is considerably greater, namely, 686, or 21.5 per cent; but many families who also hire permanent laborers are here included. The total number of households employing hired labor, whether permanently or temporarily, is only 704, or 22.1 per cent of all households.

Even if the rental value of land be disregarded, it can not be claimed that the reward of the labor of practically all the members of the family is considerable. By a careful calculation, based upon the average yield of the land and the price of cereals, the average annual income of a household has been estimated at 139 rubles (\$71.59) from grain farming, and with the addition of the products of live

stock (dairying and slaughtering), at 200 rubles (\$103). In discussing this estimate an investigator says: (^a)

Such an income would scarcely be sufficient for a family of a Russian peasant, who needs about 35 rubles (\$18.03) per capita for his bare subsistence, according to the investigations of the well-known Russian statistician, Mr. Shcherbina. But the standard of a Jewish family is evidently higher. The Jewish population of the colonies has kept certain civilized customs, which they find difficult to give up; thus they do not spare expenses for teaching their children; they are accustomed to better food, and they dress better on holidays, and have considerable expenses for religious purposes, for medical treatment, etc. From data in regard to the budgets of five agricultural Jewish families in the Province of Vilna, it appears that the normal budget of a Jewish family is not less than 300 rubles (\$154.50). Persons well acquainted with the life of the southern colonists estimate the normal expenditures of a family at the same figure. No matter how approximate our calculations, one may assert with a reasonable degree of certainty that the income from agriculture does not by far correspond to the needs of the population of the colonies, and that subsidiary occupations therefore are a necessity for some part of the families.

Facts seem to support this reasoning, for a considerable number of the families in the colonies have been forced to look for additional sources of income. Of the 3,187 families living in the Kherson colonies, only 1,563, or 49.0 per cent, have no other occupation but agriculture; 1,194 families, or 37.5 per cent, have an additional occupation, and 430 families, or 13.5 per cent, have abandoned agriculture and have devoted themselves to other occupations. The proportion of the latter is not great enough to support the claim that the Jewish colonists have proved unwilling or unfit to be land tillers. At the same time, the possibilities of profitable employment at commerce and handicrafts for local demand, as well as the demand of the surrounding rural communities, have been utilized by some of the colonists. The amount of available labor in a family seems to have been the decisive factor in the combination of agriculture with other pursuits, for of the families without any adult workers only 21.5 per cent pursue at the same time other occupations than farming; of the families with one worker, 35.3 per cent, and of the families with more than one worker, 47.6 per cent. With the growth of population and the consequent reduction of the available land supply per household, this tendency to pursue other occupations must inevitably grow. A comparative statement is possible for one county (*uyezd*), the county of Elisabetgrad, where a similar investigation was made some fifteen years earlier. The proportion of households employed at agriculture alone decreased from 65.9 per cent to 47.9 per cent, while the

^a See Sbornik Materialov ob Economicheskoy Polozhenii Evreev v Rossii (Collection of material in regard to the economic condition of the Jews in Russia), Vol. I, page 40.

proportion of those who combined agricultural work with other pursuits increased from 24.8 per cent to 32.7 per cent, and the proportion of those who abandoned agriculture rose from 9.3 per cent to 19.4 per cent. These changes took place during the comparatively short period of fifteen years, from 1883-1885 to 1898-99. During the same period the population of the three colonies located in this "uyezd" increased more than 50 per cent, and the average supply of land per person decreased from 17.5 to 10.1 dessiatines (from 47.3 to 27.3 acres). In the neighboring Province of Yekaterinoslav seventeen colonies were established within the decade 1845-1855 and under conditions very similar to those in Kherson. The allotment of land was the same—i. e., 30 dessiatines (81.1 acres), except for two colonies, where it was 35 dessiatines (94.6 acres) and 40 dessiatines (108.1 acres), respectively. The average amount of land per family in 1897 was 12.5 dessiatines (33.8 acres), or about the same as in the Province of Kherson. In addition to the 17,650 dessiatines (47,690 acres) owned, 7,814 dessiatines (21,113 acres) were rented. A detailed investigation was made of these colonies in 1890, when their condition was described as fairly satisfactory. At that time 749 households were found, of which 524, or 70 per cent, tilled their land by their own labor; 93, or 12.4 per cent, made use of hired labor in addition to their own; 77, or 10.3 per cent, relied upon hired labor exclusively, and only 55 families, or 7.3 per cent, did not occupy themselves with agriculture at all. Like the colonists of Kherson, those of Yekaterinoslav grow cereals, preferably wheat, rye, and barley, to the exclusion of everything else.

In the realization of its object of attracting the Jews toward agriculture the Government pursued two lines of activity. The one consisted in settling the Jews in the sparsely populated lands of New Russia, the other in encouraging voluntary settlement of Jews on State or on private lands. In the latter case the land was either bought or rented. Although the Jewish colonies were entitled to a subsidy at the time of settling in their new homes, the land was usually so poor and the success of the Jewish farmers often so indifferent that many of the colonists were forced to leave their colonies and return to the towns. Nevertheless, the investigation undertaken by the agents of the Jewish Colonization Society in 1899 proved the existence of 248 Jewish agricultural settlements, containing a population of 4,958 families, or 30,659 persons. But the land at the disposal of these families is limited to 36,265 dessiatines (97,988 acres), which gives an average of 7.3 dessiatines (19.7 acres) per family, or 1.2 dessiatines (3.2 acres) per person. How insufficient this area is for grain farming may be judged from the fact that the average plot owned by the Jewish colonist is considerably smaller than the corresponding plot of his peasant neighbor.

Thus, in the six northwestern Provinces the average amount of arable land per each male person of the peasant class was 2.25 dessiatines (6.1 acres), while for the Jewish colonists the average was only 1.5 dessiatines (4.1 acres). In the four southwestern Provinces of Volhynia, Kiev, Podolia, and Chernigov the comparative areas were 1.75 and 0.7 dessiatines (4.7 and 1.9 acres). This insufficiency of land was mainly due to the activity of various commissions which redistributed the State lands in use by the peasants in the middle of the seventies, and reduced the allotments of the Jewish farmers on the plea that the land was not tilled by the labor of the colonists themselves. More than 33,000 dessiatines (89,166 acres) were taken from the Jewish colonists, and their land holdings reduced by more than 50 per cent. The prohibition against Jews buying land in the nine western Provinces, which dates back to 1864, and the laws of 1882, which prohibit the renting of land by Jews, prevented any compensation for this loss by purchase or by rental.

Under these conditions successful agriculture was hardly to be expected. Only a very small proportion of the farmers is provided with a sufficient area of land, 42.1 per cent of the colonists having less than 2.5 dessiatines (6.8 acres), 39.9 per cent from 2.5 to 10 dessiatines (6.8 to 27 acres), and only 18 per cent more than 10 dessiatines (27 acres). Only a little more than one-half of the colonists actually plow their own land, and the average surface cultivated by a family is equal to 4 dessiatines (10.8 acres) in the northwestern Provinces and only 2.5 dessiatines (6.8 acres) in the southwestern region. The methods and the implements, or rather their absence, are similar to those of the ignorant peasants of Lithuania or of White Russia, and practically all these "farmers" without land are forced to look to other fields for support. Thus only 13 per cent of the families devoted themselves entirely to agriculture. In addition to agriculture the handicrafts, commerce, and unskilled labor were the principal occupations of the colonists. The statement that if the families with less than 2.5 dessiatines (6.8 acres) be excluded three-fourths of the remaining families plow their land would seem to show that the utmost use is made of the land. Although the main colonies of Jewish land tillers are located in the Provinces of Kherson and Yekaterinoslav, numerous colonies, as well as individual land tillers, are scattered throughout the Jewish Pale, and even in Siberia may be found several villages inhabited by Jewish peasants. A few words may be added to show the condition of these peasants.

In Bessarabia nine colonies were established between 1836 and 1853, five of them on bought lands and four on lands acquired by rentals that run from twenty-five to fifty years. At the expiration of the contracts it was impossible to renew them in three out of these four colonies, and only six colonies exist at the present time. In many

details these Bessarabian colonies differ from those already described. The enforced removal of Jews from villages has crowded into the colonies many families in no way connected with agricultural pursuits, and this has given to the colonies the appearance of commercial towns. Out of 1,500 families only 536 own land, and their average land holdings are but 5.48 dessiatines (14.8 acres), which is a great deal less than the average holdings in Kherson and also less than the average holdings of the peasants of this Province, 8.2 dessiatines (22.2 acres). On this land grain farming plays a small part, only 67 per cent of the land being under grain, the main cereal being maize. The colonies have a comparatively large grazing area, and several colonies keep large flocks of sheep for commercial purposes. Another distinctive feature of these colonies is a considerable development of various kinds of special crops, such as fruit, tobacco, and grapes. Not only in the colonies, but also in the Russian villages of the Province, do Jews occupy themselves with tobacco culture; in fact, almost all the tobacco growing in Bessarabia is done by Jews. The competition of the world's crop is gradually reducing the profits of this crop and is forcing the planters not provided with sufficient land for grain farming into viticulture. The results of this highly intensive crop are not very favorable, because of the primitive wine-making methods in use.

In Poland Jewish agriculture was encouraged mainly by grants of long periods of freedom from military service, and since that service before the introduction of the new military system lasted about twenty-five years the inducement was not inconsiderable. Though this privilege was withdrawn in 1864 many cases of settlement of Jews on farms occurred after that date, especially since the right of the Jew to acquire land remained unassailed in Poland longer than anywhere else in the Empire. Altogether 2,509 families of Jewish agriculturists, living either on separate farms or in small colonies, were found in Poland who held about 15,000 dessiatines (40,503 acres), or about 6 dessiatines (16 acres) per family.

The results of these experiments furnish sufficient material for a judgment of the social worth of these efforts. In so far as the simple question of the fitness of the Russian Jew for an agricultural career is concerned it seems to have been proved beyond doubt. Within a period of less than fifty years thousands of families have established themselves in rural communities, and tilling the land has been usually their main and often their only occupation. If their economic position is usually precarious, the same is true of the Russian peasant in general. The Jewish peasant suffers from the same cause as his neighbor—namely, an insufficiency of land—but suffers to a still greater degree. Both till their land with antiquated methods and inefficient implements. Both apply methods of extensive agriculture to a plot of land which, in view of its small dimensions, demands a

highly intensive cultivation. It is small wonder that in either case grain farming should lead to economic distress. In addition to these obstacles the Jew has to contend with a great many difficulties of a legal nature, yet it is universally acknowledged that the physical effects of the fifty years of farming have had an excellent influence on the health and muscular development of the colonists. The Jew of Bessarabia, for instance, has none of the physical characteristics that are supposed to be so typical of the Lithuanian Jew. Had the first benevolent efforts of the Government toward the introduction of agriculture among the Jews been continued, agriculture might have become an important occupation of the Jews, especially in view of the many idealistic movements to return to the land which have sprung up several times during the last 30 years, and caused the organization of agricultural colonies of Russian Jews in many parts of the world.

TRUCK FARMING.

It is still the custom in Russia to think of grain farming only when speaking of farming, because of the very slight development of other specialized forms of farming, or to use the inaccurate Russian expression, the cultivation of commercial crops. Therefore the comparative popularity of these special branches of agriculture among Jews, which the official occupation statistics fail to indicate, is the more significant.

Through a private enumeration, which is far from being complete, the following figures were obtained:

JEWS EMPLOYED IN SPECIAL BRANCHES OF AGRICULTURE, BY REGIONS AND KIND OF FARMING, 1898.

Kind of farming.	Southern (new) Russia.	South- western Provinces.	North- western Provinces.	Poland.	Total.
Fruit growing.....	622	1,641	7,129	1,907	11,299
Tobacco culture.....	1,015	625	40	15	1,695
Viticulture.....	658	117	.....	5	780
Other special farming.....	27	36	.....	30	93
Total.....	2,322	2,419	7,169	1,957	13,867
Dairy farming.....	495	970	3,798	2,191	7,454
Apiculture.....	34	57	59	50	200
Total.....	2,851	3,446	11,026	4,198	21,521

In view of the many difficulties of acquiring land, these specialized branches of farming that require only limited areas and a great outlay of labor are most suitable for the Jews. Altogether, the 13,867 farmers had at their disposal only 19,475 dessiatines (52,621 acres), which gives an average of 1.4 dessiatines (3.8 acres) per farmer, and the acquisition of even these small tracts of land was exceedingly difficult, as the May laws of 1882 prohibit the sale or lease of land outside of

city limits to Jews. As a result, 7,714 dessiatines (20,843 acres), or nearly two-fifths of the entire land of these special farms, are within the city limits, and of the remaining 11,761 dessiatines (31,778 acres) only 1,336 dessiatines (3,610 acres) are the property of the farmers. Some renting of land to Jews outside the city limits continues notwithstanding the strict laws prohibiting it, but the insecure position of the tenant, who is at the mercy of the landlord and without the protection of the law, can not have a very stimulating effect upon Jewish agriculture.

INDEPENDENT FARMING.

Besides Jewish labor, Jewish capital also has been applied to agricultural enterprises. Before the emancipation of the peasants there could have been no inducement for Jewish capital to enter the field of landowning, because the possession of serfs was the exclusive privilege of the nobility, and outside of the serfs there existed no supply of labor to enable the proprietor to cultivate his land. No sooner had the emancipation of the serfs been realized than the Polish insurrection caused the prohibition, in 1863, of land purchases by Jews within nine Provinces of the west. Finally, the laws of 1882 practically stopped further purchases and greatly reduced the cases of renting of land to Jews, since such tenancy, being unrecognized by law, became a very risky enterprise for the Jewish tenant.

Nevertheless, considerable tracts of land are still owned or rented by Jews. The central statistical committee, the main official statistical office of the Russian Government, recently stated the area of land in Jewish hands to be as follows:

	Acres.
Fifteen Provinces of the Pale.....	3, 409, 916
Ten Polish Provinces.....	926, 913
Total in the Pale.....	4, 336, 829
All other European Russia.....	2, 014, 735
Caucasus.....	13, 705
Siberia.....	50, 671
Middle Asia.....	6, 744
Total in the Empire.....	6, 422, 684

Although this area is considerable, it is only a small part of the total area of the country. In the Pale, where Jewish occupancy of estates is most common, it does not exceed 1.5 per cent; and only in Poland, where the restrictions of Jewish land occupation are least stringent, does the proportion reach 2.5 per cent of the land area or more than 5 per cent of the land in private ownership, that is, the land not in the possession of the peasants. In Poland, of the land occupied by the Jews, 86 per cent is owned and 14 per cent is leased; in the remaining Provinces of the Pale 32.5 per cent is owned and 67.5

per cent is leased. The difference is evidently to be explained by the differences of the legal conditions in the two regions, caused by the May laws of 1882. Some twenty years ago the central statistical committee published the results of a similar investigation for twelve Provinces of the Pale. It is thus possible to make a comparison between Jewish land occupancy in 1881 (before the May laws) and in 1900, for these twelve Provinces of the Pale. The Provinces of Vilna, Minsk, Mohelev, and the ten Provinces of Poland are not included.

JEWISH LANDHOLDINGS IN TWELVE PROVINCES OF THE PALE, 1900 COMPARED WITH 1881, BY TENURE.

Tenure of farms.	Acres in 1881.	Acres in 1900.	Decrease.	
			Acres.	Per cent.
Owned.....	1,847,879	1,022,418	825,461	44.7
Rented.....	5,400,374	785,523	4,614,851	85.5
Total.....	7,248,253	1,807,941	5,440,312	75.1

The Jewish Colonization Society made an independent investigation of these estates, which included 1,210,796 dessiatines (3,271,571 acres), or practically the entire area owned by Jews. The investigation showed that practically all of the land is in the hands of owners of large estates, and only a small part (less than 1.5 per cent) belonged to those persons owning a farm so small that the proprietor probably gave to it his labor as well as his capital and management.

The following table shows the number and area of farms owned by Jews in twelve Provinces of the Pale, by size of farms:

NUMBER AND AREA OF FARMS OWNED BY JEWS IN TWELVE PROVINCES OF THE PALE, BY SIZE OF FARMS, 1898.

Size of farms.	Farms.		Area (acres).	Per cent of area.	Average size of farm (acres).
	Number.	Per cent.			
Under 54 acres.....	2,058	45.5	46,796	1.4	23
54 to 270 acres.....	821	18.2	118,183	3.6	144
Over 270 acres.....	1,642	36.3	3,106,592	95.0	1,892
Total.....	4,521	100.0	3,271,571	100.0	724

The question of the fitness of the Russian Jew for agricultural pursuits has often been discussed in connection with the problem of immigration and the congestion of Jewish immigrants in a few large cities of the United States, and the importance of distributing the Jewish as well as the other immigrants over the rural districts and of encouraging them to engage in agricultural pursuits has been emphasized.

It can scarcely be expected that agriculture will absorb a large part of the inflowing stream of Russian Jewish immigration, but the

fact should not be overlooked that, notwithstanding many difficulties, thousands of Jews have gone into agriculture in the United States, and the movement has shown a healthy growth, partly because the wave of emigration, which until recently was limited to Lithuania and White Russia, has extended into southwestern and southern Russia, and partly because of the much better organization of assistance to the intending Jewish farmer. Many efforts to organize Jewish agricultural grain-raising colonies have been complete failures. It has since been discovered by persons and institutions interested in Jewish colonization that special forms of farming offer a much better chance of success. The reports of the Jewish Agricultural and Industrial Aid Society indicate that while the few scattered farmers in the western and the northwestern sections of the United States are struggling for a precarious existence, many hundreds of Jewish farmers have established themselves quite successfully upon the "abandoned farms" of New England and by means of truck and dairy farming in the vicinity of large towns are generally laying the foundation of comfortable homes.

Within the last three years this society has come in contact with over 1,000 Jewish farmers, most of whom were Russian Jews, and the following data relating to these farmers were collected by the society:

NUMBER OF FAMILIES, PERSONS, AND ACRES OF LAND AND VALUE OF REAL ESTATE AND PERSONAL PROPERTY OF JEWISH FARMERS IN AMERICA, BY LOCALITIES.

Locality.	Number of families.	Number of persons.	Land (acres).	Value of real estate.	Value of personal property.
Northern New Jersey.....	69	417	3,657	\$171,170	\$30,715
Southern New Jersey.....	242	1,358	6,190	291,115	49,585
New England.....	334	1,963	31,388	517,020	121,140
New York.....	161	832	14,029	368,105	70,310
Central and Middle West.....	46	328	3,878	80,100	21,015
Northwestern States and Northwest Territory of Canada.....	243	1,298	46,605	267,450	156,960
Total.....	1,095	6,196	105,747	1,694,960	449,725

ARTISANS.

NUMBER OF WORKERS.

The natural difficulties of a removal of an urban people to the rural districts, in conjunction with the legal conditions, have been sufficient to keep the majority of the Jewish population of Russia in other than agricultural pursuits. This is clearly indicated by the occupation statistics of the census of 1897, quoted in a preceding section of this article.

But these figures must be read in the light of Russian economic conditions. When measured by the American standard the factory

system in Russia is still in its infancy, and of the many thousands of Jews engaged in manufacturing and mechanical pursuits (to use the familiar phrase of the United States census) the great majority are artisans or handicraftsmen.

Since the Russian census of 1897 does not draw this line, the material gathered by the Jewish Colonization Society remains the best and most up-to-date source of information—at least as far as the statistical study of this problem is concerned.

The agents and correspondents of this society registered 500,986 artisans, and, since the total number of Jews gainfully employed was found to be a little over 1,500,000, the artisans constituted at least one-third. As a matter of fact, however, it was practically impossible for a private statistical investigation to cover the entire Pale, and many artisans undoubtedly were omitted. It is stated that the 500,986 artisans constituted 13.2 per cent of the Jewish population of the localities investigated, and as persons gainfully employed equaled 30 per cent of the Jewish population it follows that the artisans included 44 per cent of the entire Jewish working population. It is not necessary to lay too much emphasis upon this high percentage, which considerably exceeds the percentage of all industrial workers as obtained from the census, because the deduction that a very great proportion of the Jews earn their livelihood by manual labor is beyond dispute. Undoubtedly this is a higher proportion of artisans than any other country shows. The Jewish artisans, however, supply the demand for industrial products not only of the Jewish population, but of the entire population of the Pale.

Nevertheless, the extreme poverty of the Jewish artisans, which will be illustrated by statistical data, and the large proportion of skilled laborers or artisans among the immigrants to this country betray the overcrowded condition of the trades within the Russian Pale. The condition of the clothing trade may be taken as an illustration. Very little factory-made clothing is used in Russia, and practically all the tailors in that country come under the class of artisans, which class, it is necessary to point out, has a legal entity in Russia. The census figures show that in a population of 42,338,567 within the Pale, 458,545 persons are occupied in the clothing trade, or 109 to each 10,000, while in the rest of the Russian Empire there were 700,320 persons in the trade in a population of 83,301,454, or only 84 per 10,000.

The overcrowding of the Pale with artisans, the insufficient number of such workmen in the rest of Russia, the extreme poverty of the Jewish artisans caused by this overcrowding of the market, and, finally, the usefulness of the Jewish artisans and the desirability of their distribution influenced the Russian Government to raise the barriers of the Pale for some artisans. Throughout the first half of

the nineteenth century these were principally distillers of spirits, but in 1865 the right to live outside the Pale was extended to all Jewish artisans. The report of the minister of internal affairs accompanying the law of June 28 (July 10), 1865, states that according to the reports of the governors of the Provinces of the Pale the extreme poverty of the artisans within the Pale is a result of the enforced overcrowding of that region with artisans; that the overcrowding is caused by the legal limitations of the Jew's right of domicile, and that not only the Jewish but non-Jewish artisans of the Pale suffer from this enforced overcrowding. The Jewish artisans, the minister said, are forced to cut the prices for orders, and the resulting competition affects all the artisans unfavorably. And yet the Jewish artisans were the most useful element among the Jews, and if it was found possible to grant the Jewish merchants the right to live in the interior of Russia, the artisans, it was argued, surely were worthy of the same privilege.

The law of 1865 was the result of these arguments. The natural question will be asked why the Jewish artisans have not overrun Russia, instead of flocking in such numbers to foreign lands, like the United States or the United Kingdom. The prospect of better earnings in foreign lands may serve as a partial explanation; but no less important is the extreme complexity of the law, and the subsequent amendments to it, which makes the legal position of a Jewish artisan in the interior of Russia very insecure. Thus a well-known text-book of special legislation relating to Jews devotes forty pages to commentaries and decisions regarding the right of the Jewish artisans to live beyond the limits of the Pale. The Jewish artisan is obliged to obtain from the artisans' guild a certificate of proficiency in the trade chosen, which certificate is granted only after an examination; he is obliged to have a certificate from the local authorities, as to his record; in his new place of residence he is strictly bound to his special trade, and not only is he obliged to be actively engaged in his trade, but he is also strictly prohibited from working at anything outside of it. The closest supervision over the fulfillment of these requirements is kept up by the police, and the artisan is liable to summary expulsion from his new place of residence for any infringement of these regulations. He is not permitted to deal in any products not made in his shop; so that a watchmaker, for instance, can not sell any watches unless put together by him, and under no circumstances can he sell a watch chain or fob. Many artisans are forced to return to the Pale when too old to work at their trade, and the children when they reach maturity are required to leave for the Pale unless they have qualified for a trade. The total number of Jewish artisan shops in fifteen of the most important Provinces of the interior of Russia, according to an

official investigation in 1893, was ascertained to be less than 2,000, and the total number of Jewish artisans outside the Pale was estimated at considerably less than 10,000.

The distribution of the artisans through the four main divisions of the Pale, as well as the distribution according to the main classes of occupations, are shown in the following table compiled from the report of the Jewish Colonization Society:

NUMBER AND PER CENT OF JEWISH ARTISANS IN EACH CLASSIFIED OCCUPATION IN THE FOUR MAIN DIVISIONS OF THE PALE, 1898.

Class of occupation.	North-western Russia.	South-western Russia.	Southern (new) Russia.	Poland.	Total.	Per cent.
Clothing and wearing apparel.....	60,637	56,240	26,223	50,854	193,954	38.7
Leather goods.....	32,292	21,853	9,348	21,813	85,306	17.0
Food products.....	23,174	14,401	5,083	15,229	57,887	11.6
Wood manufactures.....	19,791	16,382	5,276	8,139	49,588	9.9
Metals.....	16,667	15,706	8,553	7,995	48,921	9.8
Chemicals.....	1,535	1,198	322	562	3,617	.7
Building and ceramics.....	14,754	8,007	3,411	5,418	31,590	6.3
Textiles.....	6,993	3,422	809	7,204	18,428	3.7
Paper and stationery.....	3,660	3,640	2,238	2,157	11,695	2.3
Total.....	179,503	140,849	61,263	119,371	500,986	100.0
Per cent of artisans of Jewish population..	12.6	9.9	8.4	9.0	10.2	.....

When this table is compared with the table on page 491, giving the distribution of the Jewish population, the interesting fact is noticed that the larger the proportion of the Jewish population to the total population the larger is the proportion of artisans to the Jewish population. Thus, in northwestern Russia, where the Jews constitute 14.1 per cent of the total population, the proportion of artisans among the Jews is 12.6 per cent; in Poland the proportions are 14.1 per cent and 9.0 per cent; in southwestern Russia, 9.7 per cent and 9.9 per cent; in southern (new) Russia, 9 per cent and 8.4 per cent. It is only in Poland that this regularity of decrease is slightly disturbed, which may be due to the fact that the legal rights of the Jews in Poland are less limited than in the rest of the Pale. As a rule, however, a large proportion of Jews are forced into trades, because of the difficulty of earning a living in other walks of life, while their dispersion among other nationalities, especially those of a lower culture, stimulates them to adopt a commercial career. The same difference may be noticed in the United States, when the occupations of the Jews in New York City are compared with the occupations of Jews in the southern cities.

The classification of the artisans into nine main groups shows that the great majority of the Jewish artisans supply the immediate wants of the neighborhood, producing goods mainly for immediate consumption; thus, 38.7 per cent are occupied in the production of clothing and other wearing apparel and 17.0 per cent in the manufacture of leather goods, i. e., boots and shoes, gloves, and harness. Likewise

the workers in the groups of food products, of wood manufactures, and even that of metal manufactures, produce for the immediate demands of the neighborhood, as do most of the artisans belonging to the group of building trades and the ceramic industry.

On the other hand, the last three or four groups include many trades in which a wider market for the products is necessary, and in these the artisan's trade loses the character of a neighborhood industry. In the class of chemical industry are included such trades as the makers of ink, shoe blacking, dyes, soap, candles, turpentine, and tar; the ceramic industry includes brick and tile makers; the textiles group consists of weavers, rope makers, and brush makers; the last group embraces the printing trades and the stationery trades.

Most of the trades enumerated do not manufacture to order only—do not employ the customer's material—and the artisan approaches more nearly the domestic industry, or even the small factory.

It is unfortunately impossible to determine from the data in hand what proportion of the 500,000 registered artisans are working for wages. The authors in the report from which most of the data have been obtained venture to take the proportion between master workmen, journeymen, and apprentices as a measure of the size of an average artisan's shop, evidently on the supposition that the former are usually independent artisans. But their own data frequently furnish convincing refutation of this hypothesis. For instance, in the case of the manufacture of agricultural machinery in the small town of Rakov we find 8 artisans' shops, which employ 23 master workmen, 37 journeymen, and 15 apprentices, or 75 persons, of whom only 8 are the proprietors. Nevertheless, the number of the journeymen is at least indicative of the number of wageworkers. Of the 500,986 artisans, 259,396 were masters, 140,528 were journeymen, and 101,062 were apprentices. The minimum number of wageworkers was, therefore, at least 241,590, or 48.2 per cent; in reality it was much greater. Besides the masters, who are forced to work for other masters, there must certainly be counted as wageworkers those persons who work for a middleman and use his material, as is shown to be the case with the knit-goods makers of Vilna.

WOMEN AND CHILDREN IN THE HAND TRADES.

The proverbial sanctity of the Jewish home has for many generations kept the Jewish woman out of industrial life. While it was not unusual for a Jewish woman of the middle class to continue the business after the death of her husband, or under other exceptional circumstances, the appearance of the Jewish girl or woman in the factory or even in the artisan's shop is comparatively recent. Of the

500,000 artisans, there were 76,548 women and girls, who were distributed as follows:

JEWISH FEMALE ARTISANS COMPARED WITH TOTAL JEWISH ARTISANS, BY REGIONS, 1898.

Region.	Total artisans.	Female artisans.	
		Number.	Per cent of total artisans.
Northwestern Russia.....	179,503	31,800	17.7
Southwestern Russia.....	140,849	21,233	15.1
Southern (new) Russia.....	61,263	8,581	14.0
Poland.....	119,371	14,934	12.5
Total.....	500,986	76,548	15.3

The difference in the percentages which women constitute of the entire class of artisans in various sections of the Pale is significant, in view of the greater poverty and greater overcrowding of the Jews in the northwestern Provinces.

The limitations of a private investigation did not permit a detailed inquiry into the ages of the workers, but the organization of the artisan guild indirectly furnishes information in regard to the extension of child labor. The Russian artisan guild, like the mediæval prototype, recognizes three grades—the master workman, the journeyman, and the apprentice, the latter being invariably a minor and usually under 14 years of age at the beginning of apprenticeship. Thus the number of apprentices gives the number of children employed.

Altogether there were 101,062 apprentices, of whom 79,169 were boys and 21,893 were girls. For the entire Pale the proportion was as follows: Men, 68.9 per cent; women, 10.9 per cent; boys, 15.8 per cent; girls, 4.4 per cent. The number and per cent of men, women, boys, and girls employed in the trades in the four different regions of the Pale are shown in the following table:

NUMBER AND PER CENT OF JEWISH MEN, WOMEN, BOYS, AND GIRLS ENGAGED IN THE TRADES IN EACH REGION OF THE PALE, 1898.

Class.	Northwestern Russia.		Southwestern Russia.		Southern (new) Russia.		Poland.		Total in Pale.	
	Num-ber.	Per cent.	Num-ber.	Per cent.	Num-ber.	Per cent.	Num-ber.	Per cent.	Num-ber.	Per cent.
Men.....	119,481	66.6	99,858	70.9	42,310	69.1	83,620	70.1	345,269	68.9
Women....	21,990	12.2	16,120	11.5	6,010	9.8	10,535	8.8	54,655	10.9
Boys.....	28,222	15.7	19,758	14.0	10,372	16.9	20,817	17.4	79,169	15.8
Girls.....	9,810	5.5	5,113	3.6	2,571	4.2	4,399	3.7	21,893	4.4
Total..	179,503	100.0	140,849	100.0	61,263	100.0	119,371	100.0	500,986	100.0

Here also northwestern Russia makes the poorest showing, having the largest proportion of women and girls, and the number of men falls to two-thirds of the entire number of artisans.

As one might expect, the greater number of the females are found in a limited number of trades. Thus, 49,950 of them are employed as dressmakers and seamstresses (two-thirds of the total number employed), 4,014 are milliners, 5,700 are knit-goods makers, and 1,700 are cigarette makers. These trades comprise over 80 per cent of the total number of females employed.

MARKETING OF THE PRODUCTS.

Although the enumeration of the various trades is in itself sufficient to show that the typical method of the mediæval artisan of producing to the order of the individual consumer is not the only method used by the Jewish artisans, a study of the various methods of marketing these products confirms the induction that the artisan is developing into a petty manufacturer. The prohibition of living in the village forces the Jewish artisan—the tailor or the shoemaker—to seek his natural and most important customer, the peasant, in a more indirect way. This he does by visiting the many fairs frequented by the peasant; but this method of conducting a business has the serious drawback that it consumes a great deal of the artisan's time. Because of this a class of middlemen has naturally grown up who give large orders. By means of these middlemen the range of the market has gradually extended, so that it is not unusual to find artisans who work for these intermediaries exclusively. The small city of Radom, in Poland, sends out annually shoes to the value of about 1,000,000 rubles (\$515,000); in Vitebsk the tailors work mainly for the dealers in ready-made clothing, a trade condition that approaches the system of contracting which is so familiar to students of economic conditions in New York City; in Dubrovna, a small town of the Province of Mohelev, a large proportion of the population is specialized in weaving "taleisim," peculiar towel-like cloths used for religious purposes, and here about 500 artisans are completely dependent upon three or four middlemen, who buy the entire product of the industry and find a market for it throughout the Pale. Usually many members of the family work at the same trade, which combines all the objectionable features of the sweat-shop and the domestic-factory system. The causes of the growth of the system are the same in the Pale as those which have brought about the development of the domestic system, and later the factory, in many industrial countries; namely, the lack of capital, the impossibility of borrowing except at usurious rates of interest, and, in addition, the strong competition in many trades of factory-made goods. The poor "independent" artisan often has not the money to buy even the material for a small private order, to say nothing of buying the necessary machinery that has gradually forced its way into the hand trades.

A characteristic instance of this is found in the knitting industry in the city and Province of Vilna. From 1,000 to 2,000 women in

the Province are employed in this industry. A very small proportion of them work in factories that are provided with steam power, because the majority of the manufacturers (for the middlemen in this instance are middlemen in name only) prefer not to have the expense of rent and supervision, especially since factory inspection and all labor legislation do not apply to the artisan shops and to domestic industry. These manufacturers, therefore, buy the knitting machines, place them in the homes of the workingwomen, supply the necessary yarn, and pay the women piecework wages. Surely, there is very little of the independent artisan left under such an arrangement of an industry.

With the growth of the market several cities are specializing in one line of trade or other. In the small Polish town of Bresin a large number of tailors work for dealers in ready-made clothing, who visit the town several times a year, coming from all over the south. Several towns of the Polish Province of Siedlec have specialized in brush making. In the Province of Grodno shoe and boot making is the principal occupation of a large part of the Jewish population. In several towns of the Province of Vitebsk the production of agricultural machinery has grown rapidly within the last few years. These artisans' shops, which employ a considerable number of hired laborers, differ little from factories.

CONDITIONS OF WORK.

The artisan's home is the artisan's shop. And while sentimentalists may consider it one of the advantages of the artisan's work, because of its tendency to preserve the home, in reality it is one of the greatest drawbacks in the life of the artisan's family. It is not the function of the home to be the workshop, and the combination is specially harmful where the homes are as small, crowded, and poverty-stricken as are the majority of Jewish homes within the Pale. The following is a fair description by a Russian writer of the condition of the Jewish artisans' homes in one of the largest towns of the Jewish Pale, the city of Mohelev, which has a population of about 50,000 and is the capital of the Province of the same name:

The homes of the artisans are small and crowded. But no matter how small and crowded, tenants are often admitted, and there is seldom more than one room for a family. The room serves as kitchen, living and sleeping room, and workshop. And it is not unusual for a tailor to rent the same room for school purposes, so that instruction is served to a small class of private pupils in the same room where the tailor works with his apprentice; the tailor's wife cooks the food and washes the clothes, and the tailor's prolific family mingles its joyful noise with the monotonous chanting of the Hebrew teacher and the scholars.^(a)

^a See Die Organisationen des Jüdischen Proletariats in Russland, von Sara Rabinowitsch. Karlsruhe, 1903.

It is impossible to expect any regulation of the working-day under conditions such as described above. The independent artisan who works on his own account is only too happy to have any work to do, and, unless idle for lack of orders, works as long as it is possible to work. Still worse is (or was until the very recent epidemic of strikes changed conditions considerably) the situation in the larger artisans' shops, which are virtually sweat shops of the worst order. The factory legislation is not applicable to such industrial establishments; the workmen or workingwomen live, eat, and sleep in the work-room, and, being under constant supervision, the only limitation upon the working-day is the generosity of the proprietor of the shop. During the busy season the girls in the dressmaking establishments may work from 6 o'clock in the morning until 12 midnight. In Mohelev "the normal working-day of the seamstresses lasts 12 hours, while during the winters it may be prolonged to 14, 16, and even 18 hours."

The organization of the Jewish workmen dates from the end of the last century, and the strikes that followed showed immediate improvement in the condition of the factory workers as well as of the artisans.

In Vitebsk the working-day of all the Jewish artisans, which had been from 13 to 18 hours, was in 1898 reduced to 10 to 12 hours. In Homel the reduction was as great, the 16 to 17 hour working-day of the tailors being reduced to 14 to 15 hours net; of the joiners from 17 hours to 13 to 14 hours net; of the locksmiths, from 16 hours to 14 hours net; of the shoemakers, from 18 hours to 15 hours net; of the dressmakers, from 16 hours to 13 to 14 hours net.

These long working hours have been, until recently, a feature of all Russian industry; and, as a rule, the hours of work in the artisans' shops which do not come under the provisions of the factory legislation are invariably longer. But in view of the great changes in the political as well as the economic life of Russia, which are taking place at present, it is difficult to say what the average working-day is. Undoubtedly many factories, and many more artisans' shops in the interior of the country, still keep up a very long day of 13 to 15 hours; yet the workday of 10 and even 9 hours has been introduced in many establishments in St. Petersburg and in Moscow. There is no information of such shortening of the labor day in the industrial centers of the Pale, but even in that section the actual working-day varies greatly.

The following illustrations of successful reductions of the hours of labor, for the years 1903 and 1904, by means of strikes have been gleaned from the *Letzte Nachrichten*, the official organ of the "Universal Union of the Jewish Workmen in Lithuania, Poland, and

Russia," and published until recently in Switzerland. During the last two or three years the extraordinary political activity of this organization has forced it to neglect its economic activity.

In Lodz, the Manchester of Russian Poland, the bakers, in the summer of 1903, struck for the reduction of the hours of labor from 15 to 13 and were successful.^(a) In the small town of Prilooki, in the Province of Poltava, the workingmen of the local tobacco factory succeeded, in August, 1903, in having the hours of labor reduced from 13 to 10½.^(b) During the same month the locksmiths of Vitebsk, the capital city of the province of the same name, had their hours reduced from 13 to 12.^(c) In Radomysl, Province of Kiev, the tailors, as a result of a strike which lasted one day and a half, had the working-day of from 17 to 18 hours reduced to 14 hours.^(d)

These few quoted instances show that the Jewish workingmen, even in the small establishments of the artisans, are fully alive to the gravity of an abnormally long working-day and are persistently striving to shorten it.

WAGES AND EARNINGS.

In the absence of systematic wage statistics in Russia it is futile to try to determine the average wages of the artisans' employees. Still more difficult is it to speak with any degree of accuracy of the average earnings of the army of small independent artisans, since these earnings must of necessity be subject to great variations, both of place and time and from one artisan to another. Nevertheless, the usual estimates furnished by local correspondents well acquainted with local conditions are of some value. From some reports a number of such estimates were gathered, and these estimates are presented in the following tabular statement:

EARNINGS OF JEWISH ARTISANS, BY LOCALITIES AND BY OCCUPATIONS, 1898.

Locality.	Occupation.	Earnings per annum.
Lithuania:		
Vilna (town of Vilna).....	Knit-goods operatives (women).. ^e	\$1.29 to \$1.80
Vilna (town of Vilna).....	Knit-goods operatives (men).....	38.63 to 51.50
Vilna (town of Vilna).....	Knit-goods operatives (men, high)	128.75 to 154.50
Kovno (town of Kovno).....	Shoemakers (high).....	206.00 to 257.50
Grodno (town of Grodno).....	Shoemakers.....	154.50 to 206.00
Grodno (town of Grodno).....	Shoemakers (average).....	77.25 to 103.00
Grodno (town of Grodno).....	Tailors.....	77.25 to 257.50
White Russia:		
Minsk (town of Minsk).....	Knit-goods operatives (women).. ^e	38.63 to 51.50
Minsk (town of Sloodsk).....	Shoemakers.....	1.55 to 3.09
Vitebsk (town of Vitebsk).....	Blacksmiths.....	2.58 to 3.09
Vitebsk (town of Vitebsk).....	Carpenters.....	2.06 to 2.58
Vitebsk (town of Vitebsk).....	Potters.....	185.40
Southwestern Russia:		
Volhynia (35 localities).....	Tailors.....	61.80 to 103.00
Volhynia (26 localities).....	Tailors.....	103.00 to 154.50
Kiev (17 localities).....	Tailors.....	77.25 to 103.00

^a Letze Nachrichten, No. 139.

^b Letze Nachrichten, No. 144.

^c Letze Nachrichten, No. 146.

^d Letze Nachrichten, No. 185.

^e Per week.

EARNINGS OF JEWISH ARTISANS, BY LOCALITIES AND BY OCCUPATIONS,
1898—Concluded.

Locality.	Occupation.	Earnings per annum.
Southwestern Russia—Concluded.		
Kiev (34 localities).....	Tailors.....	\$115.88 to 154.50
Kiev (9 localities).....	Tailors.....	180.25 to 206.00
Kiev (7 localities).....	Tailors.....	257.50 to 309.00
Podolia (42 localities).....	Tailors.....	51.50 to 103.00
Podolia (32 localities).....	Tailors.....	103.00 to 154.50
Poltava (17 localities).....	Tailors.....	92.70 to 154.50
Poltava (5 localities).....	Tailors.....	180.25 to 257.50
Volhynia (12 localities).....	Shoemakers.....	51.50 51.50
Volhynia (12 localities).....	Shoemakers.....	51.50 to 77.25
Volhynia (13 localities).....	Shoemakers.....	77.25 to 103.00
Volhynia (25 localities).....	Shoemakers.....	103.00 to 154.50
Kiev (24 localities).....	Shoemakers.....	77.25 to 103.00
Kiev (31 localities).....	Shoemakers.....	103.00 to 154.50
Kiev (8 localities).....	Shoemakers.....	180.25 to 257.50
Podolia (16 localities).....	Shoemakers.....	77.25 77.25
Podolia (21 localities).....	Shoemakers.....	77.25 to 103.00
Podolia (24 localities).....	Shoemakers.....	118.45 to 154.50
Kiev (31 localities).....	Carpenters.....	103.00 to 154.50
Kiev (9 localities).....	Carpenters.....	128.75 to 257.50
Volhynia (35 localities).....	Carpenters.....	77.25 to 103.00
Volhynia (12 localities).....	Carpenters.....	115.88 to 154.50
Volhynia (7 localities).....	Carpenters.....	38.63 to 90.13
Podolia (16 localities).....	Carpenters.....	51.50 to 77.25
Podolia (22 localities).....	Carpenters.....	84.98 to 103.00
Podolia (20 localities).....	Carpenters.....	128.75 to 154.50
Volhynia (13 localities).....	Seamstresses.....	12.88 to 25.75
Volhynia (20 localities).....	Seamstresses.....	25.75 to 51.50
Volhynia (13 localities).....	Seamstresses.....	61.80 to 103.00
Kiev (33 localities).....	Seamstresses.....	25.75 to 51.50
Kiev (18 localities).....	Seamstresses.....	61.80 to 103.00
Podolia (52 localities).....	Seamstresses.....	15.45 to 51.50
Podolia (16 localities).....	Seamstresses.....	64.33 to 103.00
Poland:		
Thirty-three per cent of the localities.....	Tailors and dressmakers.....	Under 128.75
Forty-seven per cent of the localities.....	Tailors and dressmakers.....	128.75 to 154.50
Twenty per cent of the localities.....	Tailors and dressmakers.....	154.50 or over
Fifty-two per cent of the localities.....	Shoemakers.....	Under 128.75
Thirty-three per cent of the localities.....	Shoemakers.....	128.75 to 154.50
Fifteen per cent of the localities.....	Shoemakers.....	154.50 or over.
Town of Lodz.....	Brush makers.....	103.00 to 206.00
Town of Lodz.....	Weavers (at home).....	^a 3.09 to 3.61
Small towns.....	Lace makers (girls).....	23.18 or over.
South Russia:		
Fifty-four localities.....	Tailors.....	128.75 to 206.00
Fourteen localities.....	Tailors.....	206.00 or over.
Fifty-five per cent of all localities.....	Seamstresses.....	51.50 to 206.00
Forty-five per cent of all localities.....	Seamstresses.....	Under 51.50

^a Per week.

These money earnings must not be judged from the standpoint of American prices and the purchasing value of the dollar in the United States, for while the ruble is the equivalent of only 51.5 cents, yet its purchasing value in the majority of the cities of the Pale, with the exception of large cities like Odessa and Warsaw, is about equal to that of the American dollar. Even with this qualification, the earnings of the majority of the artisans are very small, and in view of the determination of the normal Jewish family's budget in a small town as 300 rubles (\$154.50), a vast number of these artisans seem to have considerable difficulty in earning the necessary minimum.

The following table, compiled by the Jewish Colonization Society in its report on the economic condition of the Jews in Russia, gives the earnings of a number of Jewish artisans in the cities of southern Russia:

JEWISH ARTISANS REPORTED IN THE CITIES OF SOUTHERN RUSSIA RECEIVING EACH CLASSIFIED AMOUNT OF ANNUAL EARNINGS, 1898.

Annual earnings.	Number of artisans reported in cities having a population of—			Total artisans reported.	
	Under 10,000:	10,000 to 50,000.	50,000 or over.	Number.	Per cent.
\$51.50 or under.....	57	44	.....	101	6.9
\$52.02 to \$128.75.....	379	199	32	610	41.6
\$129.27 to \$206.00.....	176	217	74	467	31.9
\$206.52 to \$283.25.....	57	62	32	151	10.3
\$283.77 to \$360.50.....	12	50	25	87	6.0
\$361.02 to \$437.75.....	.....	10	11	21	1.4
\$438.27 to \$515.00.....	.....	5	13	18	1.2
\$515.52 or over.....	.....	7	3	10	.7

The earnings of the artisans in the southern cities are evidently much higher than in the northwest, and in the larger cities reach a level practically unknown in Lithuania or in White Russia. These data are a sufficient explanation of the movement of the Jews southward, as well as of the absence of any perceptible Jewish emigration from the southern Provinces until it was stimulated by other than normal economic causes, namely the anti-Jewish riots.

ORGANIZATIONS OF ARTISANS.

The tendency toward improving the condition of work of the journeymen has been illustrated above. Some information of the Jewish labor movement of the last few years has reached the American press. This broad labor movement under the auspices of the powerful "Universal Union of Jewish Workingmen in Lithuania, Poland, and Russia" (the so-called "Bund"), which primarily directs its efforts toward the organization of the factory workers, will be discussed fully in another section of this article. Very little is known outside of the Pale of a peculiarly Jewish organization among the artisans and their employees, which antedated the "Bund" by many decades and must have prepared the way for the broader movement which was to follow. This organization is the so-called "khevra," a word of Hebrew origin, meaning a company, an association.

To a certain extent the "khevra" as it exists to-day is analogous to the artisans' guilds and journeymen's guilds of the Middle Ages in western Europe. Its origin, however, must be sought in the rites of the Jewish religion. Various Hebrew religious functions must be observed in common. In fact, the prayers on certain occasions must be held in the presence of at least ten adults of the Jewish faith. Again, the main accessory of the Hebrew devotional exercises—the

"thora" (the Old Testament, written in Hebrew on a long roll of parchment)—is too expensive to be in the possession of any but the richest citizens of the community. Thus, organizations for the express purpose of praying and of owning a "thora" sprung up; and it was easy for these organizations to develop along trade lines, because of the natural leaning of people of the same occupations toward each other. Gradually charitable-functions were added to the religious ones; but in the beginning even the charitable acts had a religious basis, such as the execution of the various ceremonies connected with the burying of the dead members of the "khevra." The members of the "khevra" must not only accompany the body of the dead to its last resting place but must also assemble daily during the entire month to say the customary prayers. More important from the social-economic point of view is the obligation to stay, in regular turn, with a sick "brother" throughout the night if necessary.

The transition from this service to a sick benefit fund is natural. To make such financial assistance possible, a small entrance fee and still smaller dues are provided, the first being often as small as 1 ruble (51.5 cents) and the latter only 4 or 5 copecks (2 or 2½ cents) or less per week. If this moderate income still leaves a surplus it may be used in granting the members small loans without any interest. This tendency toward mutual assistance leads to a strong bond among the members of the "khevra" and teaches them the advantages of cooperative activity along broader lines. This depends upon the constituency of the organization. The original "khevra" consisted exclusively or primarily of independent master workmen. This is still true of "khevras" in those industries where the average shop is small and the majority of the artisans employ few or no wagedworkers. The few journeymen join the organization and do not of themselves represent any considerable force in it; but as the number of workingmen grows, a feeling of dissatisfaction with the management of the "khevra" arises. In the original "khevra" the democratic spirit is manifested by trusting the election of the officers to lot, and thus in a mixed "khevra," i. e., one where both masters and employees are found among the members, the offices may be exclusively given to the employers, which causes the formation of distinct parties in the "khevra." One solution of the difficulty is the breaking up of the "khevra" into two branches—one composed of the employers and the other of the employees. Or again, where the number of the employees is proportionately large and the employers approach the small capitalist, the latter may lose all interest in the "khevra" and it becomes a purely labor organization.^(a)

^a Die Organisationen des Jüdischen Proletariats in Russland, von Sara Rabino-witsch. Karlsruhe, 1903.

Such development has been noticed in the city of Moheele, the only town where the "khevrass" have been carefully studied. In that city were found single "khevrass" of independent artisans in the following trades: Shoemakers (from 50 to 60 members); jewelers and watchmakers; and tin, roof, and lock smiths (about 30 members). Double "khevrass," i. e., separate organizations of the masters and the employees, were found in the trades of the ladies' tailors, carpenters, dyers, and stove builders. The "khevra" of the ladies' tailors' employees is one of the oldest and strongest. It included over 70 workingmen and was able not only to conduct a comparatively extensive benevolent activity, but also to influence, to some extent, the condition of labor. Thus, it has put an end to a customary irregularity of payment of wages, has forced wages upward, and has even carried through the principle of the closed shop, in fact if not in name, since only the members of this "khevra" are entitled to employment by the tailors. This "khevra" is open to all workmen above the age of 18 years, but the entrance fee is 10 rubles (\$5.15).

These social tendencies manifest themselves eloquently among the mass of the Jewish workingmen even in this country. The large number of Jewish "khevrass," lodges, clubs, fraternities, brotherhoods, and other organizations—frequently under American names and with the introduction of various rites—that are pursuing partly religious and partly charitable purposes, and often possessing national organizations, are in reality only an outgrowth of the primitive "khevrass." It was in this habit of organization that the labor-union propaganda found such fertile soil among the mass of the Jewish workingmen in New York City.

UNSKILLED LABORERS.

It has been observed that the Russian Jewish immigrant in the United States takes very unwillingly to unskilled labor. Thus in New York City of the total foreign population (foreign born and native born of foreign parentage) 10 per cent are common laborers, while of the Russians only 2.4 per cent are so reported. Similarly in Russia the Jew who finds it impossible to earn a living in commerce chooses some skilled trade. Aside from the low social position of the unskilled laborer, the reasons for this disinclination to enter that field of work are to be found in the inferior physique of the underfed city-bred Jew. The Jew in southern Russia more frequently lives in the country, is generally of a much more powerful physique, and takes more readily to unskilled or (according to the Russian terminology) "black" labor. Another reason is found in the unlimited supply of unskilled labor furnished by the Russian peasant, especially in northwestern Russia. In the Provinces of southern (new) Russia, which are more sparsely settled and often suffer from scarcity

of labor, the wages of agricultural labor are higher and the Jew, both of the city and the country, is more often drawn to it.

The data in regard to unskilled Jewish labor are not very satisfactory. No data at all could be obtained in regard to the five large cities of Lodz, Odessa, Kiev, Kovno, and Moheev. Outside of these five cities the number of unskilled laborers was 97,900, so that the total number was certainly considerably over 100,000. In this number are included many kinds of work which in this country are not classified with unskilled labor, as is shown in the following table:

NUMBER OF JEWISH UNSKILLED LABORERS IN THE FOUR PRINCIPAL DIVISIONS OF THE PALE (NOT INCLUDING THE CITIES OF LODZ, ODESSA, KIEV, KOVNO, AND MOHEEV), BY OCCUPATIONS, 1893.

Occupation.	Poland.	North-western Russia.	South-western Russia.	Southern (new) Russia.	Total.
Agricultural laborers.....	882	3,814	5,824	2,381	12,901
Cabmen.....	2,884	4,981	3,520	1,875	13,260
Diggers and stonebreakers.....	681	1,379	550	376	2,986
Longshoremen and carriers.....	7,670	7,349	8,044	9,465	32,528
Lumbermen.....	411	2,263	590	1,022	4,286
Raftsmen.....	161	1,975	141	836	3,113
Ragpickers.....	1,155	1,988	1,034	124	4,301
Teamsters.....	3,327	5,916	2,919	6,657	18,819
Water carriers.....	1,404	1,054	1,844	1,076	5,378
Not specified.....	31	111	132	54	328
Total.....	18,606	30,830	24,598	23,866	97,900

Altogether, these occupations employ about 2 per cent of the total Jewish population (equivalent to about 7 per cent of the Jews gainfully employed). For reasons indicated above, the percentage rises to 3.3 per cent in southern Russia (or about 10 per cent of those employed) and falls to 1.4 per cent in Poland (4.2 per cent of those employed). This high proportion is due to the inclusion among the unskilled workers of workmen in trades of a more or less skilled nature, such as lumbermen, teamsters, and agricultural laborers.

The data of the preceding table are mainly interesting as showing that the hardest forms of physical labor are not unfamiliar to the Russian Jews. While some of the occupations are not familiar in this country, such as a water carrier or a ragpicker, comparatively few Jews remain in the other employments above enumerated when they migrate to this country or to England, because they come in competition with workers of other nationalities who are more fit for heavy work in the open air. It is probable that under the influence of economic distress the number of the Jews in these occupations in Russia is increasing, since the turning of city-bred men and women to hired agricultural labor is a very unusual economic phenomenon. It is also probable that the number of Jewish agricultural laborers would have been considerably greater had it not been for the laws of 1882,

which preclude the possibility of the Jew wandering very far in quest of such labor, because he has no right to live in the rural districts.

The average daily wage of an agricultural laborer varies considerably from locality to locality and from one season to the other, being highest in the Provinces of southern Russia, where it varies from 50 copecks (25.8 cents) during sowing time to 1.50 rubles (77 cents) during harvest; and lowest in northwestern Russia, where the wages are 25 copecks and 50 copecks (12.9 and 25.8 cents). These wages are not supplemented with board, and if board is supplied, the wages are somewhat lower. The standard of living of an agricultural laborer in Russia may easily be judged from the fact that the cost of subsistence is officially estimated at from 45 to 50 rubles (\$23.18 to \$25.75) per annum, which equals about 6 cents per day. The regular daily ration of an agricultural laborer consists of about 4 pounds of bread, which is sometimes supplemented with a cucumber or a few onions. In the Provinces of southern Russia there is often a perceptible shortage of agricultural labor during harvest time. Nevertheless the same restrictions against the Jew furnishing his labor at this time remain in force, which causes the scale of wages to rise, for a short time at least, much above the given limits.

For obvious reasons the number of longshoremen and carriers shown in the table is greatest in southern Russia, and if the data for Odessa had been obtained the number would have been much greater, for many of the Jewish cities, especially Odessa and Nikolaiev, are important ports and conduct a great exporting trade in grain.

Speaking of these laborers a Russian investigator of the conditions in Odessa says: (^a)

From their external appearance it is difficult to guess at their nationality, so strong, rough, and muscular do they look. Their wages, besides being very low, rarely more than 50 copecks [25.8 cents] for a whole day's work, are seldom regular, their employment almost accidental, and the large numbers of these laborers anxiously waiting for an opportunity to earn a few copecks, and crowding the so-called market (or the open public ground) is one of the most distressing pictures of each and every Russian-Jewish town.

The draymen's occupation was very popular among the Jews of the northwestern Provinces before the railroads were built, and in the smaller towns of the Pale, especially in the northwest and in Poland, it is still exclusively in the hands of the Jews. An official investigation of the 15 Provinces of the Pale (exclusive of the 10 Polish Provinces) made in 1887, determined the number of cabmen and teamsters at 18,532, and, according to the above table, the number had grown to 25,868 in 1898-99, and yet this increase of 39.6

^a See V Chertkovskoy Osedlosti (Within the Jewish Pale), by A. P. Subbotin. St. Petersburg, 1891. Vol. II, p. 228.

per cent within the short period of eleven years did not come because of exceptional prosperity in that occupation. The development of the railway system in western Russia has curtailed the old form of transportation of passengers and to some extent of the freight among the towns of the Pale, which was a profitable business at one time. The rapid construction of electric tram lines in most of the larger cities of the Pale has had a similar effect upon the business of the city cabmen, who, before the advent of the electric lines, controlled the only mode of intraurban transportation. There are still many towns in the Pale not connected by any railroad line, but most of them have lost their commercial importance, and the income of the old teamster, with his large, ugly, and dilapidated wagon, not unlike that used by the American pioneer in his migrations westward, has also fallen considerably. In the large towns the new methods of transporting goods have developed; but in the development of the business the independence of the teamsters has been destroyed. Whether they get a stipulated wage, as do the cabmen in Warsaw, of board and 1 ruble (51.5 cents) a week, or are given a fixed percentage of their daily earnings, or get the residue after a certain minimum has been earned for their employer (as in Odessa), their incomes are invariably smaller than under the old system. The average daily income of a teamster who does not possess his own team has been estimated at from 75 copecks to 1.5 rubles (38.6 to 77.3 cents), while the teamster or cabman who is the owner of his outfit may earn even from 2 to 2½ rubles (\$1.03 to \$1.29).

A very peculiar occupation, which is rapidly vanishing in the larger cities of the Pale, but which will probably remain for a long time in the middle-sized towns, is that of the water carrier. Ten or twelve years ago even the larger cities of the Pale, such as the seats of the provincial governments, had no other provision for water supply than the river flowing by in the vicinity, and the distribution of water over the entire city was done in a very primitive manner. Often the water carrier did not possess even a horse and wagon and a barrel. This primitive method is still in use in the smaller towns, where the poverty of the people precludes the possibility of constructing a system of waterworks. A water carrier, even though he works incessantly, can not clear much more than 50 copecks (25.8 cents) a day.

Another specifically Russian occupation is that of the drivers of the sanitary wagons which, in most of the smaller Russian towns, serve as a substitute for a system of sewerage and drainage. Probably because of the objectionable character of the work the daily income of the drivers of these wagons ranges from 80 copecks to 1½ rubles (41.2 to 77.3 cents).

MANUFACTURING INDUSTRY.

JEWISH BRANCHES OF INDUSTRY.

The emancipation of the serfs in 1863 gave to Russia an abundant supply of free labor, which naturally gravitated into the cities, and thus the industrial history of Russia since that time presents a growth of manufactures on a larger scale than was ever before known in that country. In western Russia the growth was most rapid, because the economic condition of the masses of Jews inhabiting the cities of the Pale was especially favorable to the growth of industries. Both Jewish commerce and Jewish hand trades had rapidly become less profitable; therefore Jewish capital and Jewish labor were attracted toward manufacturing. The following data for the two periods 1889 and 1897, separated only by the short period of nine years, illustrate the rapid growth of the industry in the Pale:

NUMBER OF MANUFACTURING PLANTS AND EMPLOYEES AND VALUE OF PRODUCTS,
BY REGIONS, 1889 AND 1897.

[From official data published by the Russian ministry of finance.]

Region and year.	Mills and factories.	Em- ploy- ees.	Value of products.
Northwestern Russia:			
1889.....	1,337	20,080	\$11,466,475
1897.....	1,962	39,802	26,461,730
Southwestern Russia:			
1889.....	1,711	^a 19,727	26,824,290
1897.....	2,596	42,613	38,599,250
Southern (new) Russia:			
1889.....	1,084	25,319	30,382,425
1897.....	2,562	99,170	119,228,165
The Pale (not including Poland):			
1889.....	4,132	^a 65,126	68,673,190
1897.....	7,120	181,585	181,289,145
Per cent of increase.....	72.3	^a 150.8	168.4

^a Not including employees in the Province of Kiev. In 1897 the number of employees in that Province was 18,270, which number was deducted from the total in calculating the per cent of increase.

The greatest growth of industrial activity according to these official data is found in southern Russia, which is accounted for by the rich mineral deposits in that region. The northwestern Provinces are very poor in such deposits, and there the condition of the labor market was probably the greatest stimulus to the growth of the industry, and next to it were the efforts of Jewish enterprise. These considerations explain, for instance, why one of the greatest of the Russian tobacco factories grew up in a small and insignificant town like Grodno and why Bialystok, near Grodno, became a great textile center.

But this manufacturing industry is not all the result of Jewish enterprise. In fact, the proportion of Jewish capitalists is not so great as the number of Jews would lead one to expect.

In the first of the following tables, taken from the report of the St. Petersburg Jewish Colonization Society, is shown the number of factories in three regions of the Pale and the number and per cent of such factories operated by Jews; also the number of employees in all factories, the number and per cent of employees in Jewish factories, and the average number in each factory classed as non-Jewish and Jewish. The value of products manufactured by all the factories and the value and per cent of the products manufactured by Jewish factories are also given in the second table, as well as the average value by non-Jewish and by Jewish factories. A study of the figures reveals the fact that although in northwestern Russia the Jews controlled 51 per cent of all the factories and had 58.3 per cent of the total number of employees, the value of the products manufactured was only 47.6 per cent of the total. In the 15 Provinces the Jews had 37.8 per cent of the factories, employed only 27 per cent of the workingmen, and the value of products manufactured in Jewish factories was but 22.5 per cent of the total value of manufactured products. The averages, perhaps, indicate more clearly the smaller relative productiveness of Jewish factories as compared with non-Jewish factories. The tables show that while the average number of employees in each Jewish factory was considerably over one-half of the average number in each non-Jewish factory the average value of the manufactured products was less than one-half of that of the non-Jewish factory. This discrepancy is fully explained, however, by the fact that among the Jewish factories there is a larger percentage unprovided with any mechanical power.

NUMBER OF JEWISH FACTORIES AND EMPLOYEES COMPARED WITH TOTAL FACTORIES AND EMPLOYEES, IN THREE SPECIFIED REGIONS OF THE PALE, 1898.

[From Report of Jewish Colonization Society.]

Region.	Factories.			Employees.				
	Total.	Jewish.		Total.	In Jewish factories.		Average.	
		Number.	Per cent of total.		Number.	Per cent of total.	In non-Jewish factories.	In Jewish factories.
Northwestern Russia	2,749	1,402	51.0	51,659	30,105	58.3	16.0	21.5
Southwestern Russia	3,374	1,143	33.9	108,769	28,142	25.9	36.1	24.6
Southern (new) Russia	1,627	388	23.8	74,775	5,262	7.0	53.1	13.6
Total	7,750	2,933	37.8	235,203	63,509	27.0	35.6	21.7

VALUE OF PRODUCTS MANUFACTURED IN JEWISH FACTORIES COMPARED WITH
TOTAL VALUE OF MANUFACTURED PRODUCTS IN THREE SPECIFIED REGIONS OF
THE PALE, 1898.

[From Report of Jewish Colonization Society.]

Region.	Value of products manufactured.				
	Total.	In Jewish factories.		Average.	
		Total.	Per cent of total.	In non-Jewish factories.	In Jewish factories.
Northwestern Russia.....	\$32, 403, 028	\$15, 430, 894	47. 6	\$12, 600	\$11, 006
Southwestern Russia.....	82, 106, 141	22, 114, 049	26. 9	26, 890	19, 347
Southern (new) Russia.....	94, 039, 309	9, 414, 560	10. 0	68, 301	24, 264
Total.....	208, 548, 478	46, 959, 503	22. 5	33, 546	16, 011

Although in Russia there are no statistics of distribution of wealth and no income statistics, it is still possible to draw the conclusion that, notwithstanding the existence of a few wealthy Jewish manufacturers in northwestern Russia and in southern Russia, the average Jewish manufacturer commands a much smaller capital than does his non-Jewish competitor, and that the average Jewish factory is in reality a very small establishment.

Besides the lack of Jewish capital there are undoubtedly other factors, of a legal nature, which keep the Jews from establishing large industrial enterprises.

One of the reasons why the participation of the Jews in this branch of industry has been so insignificant is the fact that in the cities, where purchase and renting of landed property is permitted to them, for sanitary reasons not all kinds of factories and mills may be established, and the acquisition of real estate beyond the city limits was prohibited by the laws of 1865; furthermore, the May laws of 1882 forbid them the renting of land and even settlement within the villages.

The corporate form of organization is still little used in Russian industry, especially in small establishments, and for a factory with an average production valued at 20,000 to 40,000 rubles (\$10,300 to \$20,600) per annum, the presence of the proprietor is an absolute necessity. A small Jewish capitalist can not, therefore, establish a factory in a locality in which he is denied the right of domicile.

In Russia Jewish capital has not that tendency to one-sidedness which is so marked in the New World. Such capital may be found in a great variety of industries, though some branches attract it more than others. In the following list only those industries are mentioned in which Jewish capital and enterprise are more prominent than in the others:

TOTAL FACTORIES, JEWISH FACTORIES, AND PER CENT OF JEWISH FACTORIES, BY INDUSTRIES.

Industry.	Total factories.	Jewish factories.	
		Number.	Per cent of total factories.
Textile.....	372	299	80.4
Lumber.....	329	199	60.5
Tobacco.....	110	83	75.5
Hides.....	530	287	54.2
Soap.....	139	122	87.8
Brick.....	752	157	20.9
Tiles.....	37	30	81.1
Flouring mill products.....	1,907	542	28.4
Creameries.....	159	80	50.3
Distilling.....	846	57	6.7
Beer brewing.....	381	110	28.9
Mineral waters.....	119	83	69.7

Smaller investments of Jewish capital may be found in dozens of other industries. Its participation in the beet-sugar industry is very great, that being one of the industries in which the corporate form of management has become customary, but the per cent of Jewish capital can not be determined. There are Jewish glass factories and iron and steel mills. More than one-half of the number of match factories and all the brush factories in the Pale belong to the Jews, and there are Jewish paper factories, machine shops, etc. Some twenty years ago the distillery business was almost altogether in the hands of Jews, but the difficulty of establishing themselves outside the limits of the cities has forced many of them out of this industry. The number of small Jewish beer breweries has also rapidly diminished because of the introduction of the Government monopoly in the sale of spirituous liquors. No less significant is the almost entire absence of Jewish capital from the mining and metallurgical industry, for reasons indicated above.

JEWISH INDUSTRIES IN POLAND.

The insufficiency of official data in regard to Polish industry leaves the data collected by the agents and correspondents of the Jewish Colonization Society the only source of information. During the last thirty years the industrial development of Poland has been very great, but German capitalists and business men much more than the Jewish were instrumental in fostering this development. A stream of German capital, energy, and experience has constantly flowed across the frontier, and a greater stream of labor has followed until Poland has become the great industrial center of the Russian Empire. Gradually domestic capital and enterprise and labor drifted into manufacturing industry, and this domestic capital meant Jewish capital. But Jewish factories still remain the weaker and smaller. Of the 4,221 factories officially registered in Poland, the correspondents of the Jewish Colonization Society reported on 1,867 only, of

which number 1,416 belonged to Jewish and 451 to non-Jewish capitalists, but this must not be taken as a true proportion of the Jewish factories, because the correspondents devoted themselves especially to the description of the Jewish establishments. Nevertheless, it is significant to find that in a Jewish factory the average number of workingmen was 30, while in a non-Jewish factory it was 102. Moreover, of the Jewish factories only 27 per cent were provided with mechanical power, while of the non-Jewish factories 69 per cent had such power. If the factories be divided into two classes, those with and those without mechanical motors, it is found that of the factories with mechanical power, the non-Jewish had an average number of 135 workingmen and the Jewish only 72; of all the factories without mechanical power, the non-Jewish had an average number of 28 workingmen and the Jewish only 15 workingmen.

In the following statement is shown the number of establishments in the various branches of industry in which Jewish capital is employed:

Textiles	305	Lumber.....	46
Leather.....	162	Beer breweries.....	45
Creameries.....	98	Paper manufacture.....	42
Mineral waters.....	81	Chemical industry.....	29
Flour mills.....	68	Soap manufacture.....	28
Brick factories.....	66	Brushes, etc.....	25
Dry goods.....	63	All other.....	201
Manufactures of wood.....	58		
Glass and pottery.....	50	Total.....	1,416
Metal goods.....	49		

JEWISH ACTIVITY IN THE TEXTILE INDUSTRY.

The textile industry remains the most prominent industry of Poland, but recently several important centers of textile industry have sprung up in other regions of the Pale. Lodz, a city in the Polish Province of Petrikau, has within the comparatively short time of thirty or forty years become a great manufacturing center, and supplies cotton goods to the entire Russian Empire. Zgierz and Tomaszow, in the same Province, have developed into great centers of manufactures of woolen goods. In Lithuania the most important center of the textile industry is Bialystok, where woolen goods are manufactured. In Poland there are 305 Jewish factories of textile goods, of which number 155 are located in the city of Lodz. In the region of Bialystok (Province of Grodno) and its suburbs there are 299 Jewish factories out of a total of 372. Some of the greatest factories in Lodz belong to Jews, such as the cotton factories of Posnansky, Rosenblatt, Silberstein, and others. The first of these employs from 6,000 to 7,000 workingmen, and the value of its products is about 12,000,000 rubles (\$6,180,000) each year. A few

such establishments may distort any averages; nevertheless, it still remains true that the 155 Jewish textile factories employ 12,848 men, or about 83 workingmen per factory, while the 112 non-Jewish factories employ 31,593 men, or 282 workingmen per factory, and that of the Jewish factories 37 per cent have no mechanical power, while of the non-Jewish factories 14, or only 12.5 per cent, are without such power.

Even in Bialystok, which is much more of a Jewish manufacturing center than Lodz, the same inferiority of the Jewish factory is noticed. Thus of the 318 factories manufacturing woolen goods, 260 were Jewish and only 58 non-Jewish. The average value of the production of a Jewish factory was 16,800 rubles (\$8,652) and the average number of workingmen 17; in a non-Jewish factory the average value of production was 73,000 rubles (\$37,595), and the average number of workingmen was 55. In short, it must be admitted that notwithstanding a few individual cases, the number of great Jewish capitalists is small, and that the majority of the Jewish manufacturers are people of moderate means. It will appear presently that this circumstance has some important consequences upon the condition of Jewish labor.

FACTORY LABOR.

Jewish labor appeared in large manufacturing industries much later than Jewish capital and enterprise, and for obvious reasons. In the middle of the last century the majority of the Jews belonged to the middle class; they were either merchants or independent artisans and work in a factory presented to them a considerable downward step in the social scale. So it is natural to find that a strong prejudice existed against such action some thirty years ago, especially when the remuneration of a factory worker and the general conditions of his life and work were very unsatisfactory, as they always are in the initial stages of the development of capitalistic industry. It required a perceptible decline in the economic condition of the Jewish artisan, in the early eighties, to force him into the ranks of the industrial army. Since then the number of Jewish wageworkers in manufacturing industries has grown rapidly, but owing to the absence of official labor statistics it is impossible to state the number of these factory workers with any degree of accuracy. The only source for even approximate information upon this most important problem remains in the data collected by the agents of the Jewish Colonization Society for their report on the economic condition of the Jews in Russia. While these data are not up-to-date and are incomplete, they remain the best that may be had. Reports were made for only 3,186 out of 7,750 factories existing in the Pale in 1897. In the factories reported for northwestern, southwestern, and southern (new)

Russia 33,933 Jewish factory workers were employed, and in those reported for Poland 12,380 were employed, a total of 46,313 in the factories reported for the Pale.

There can be no doubt that this total is far below the actual number, and an effort may be made to correct the returns of this private investigation, at least approximately, by making the legitimate assumption that in the factories omitted the percentage of Jewish workingmen was the same as in the factories reported, which gives the following:

ESTIMATED NUMBER OF JEWISH WORKINGMEN IN THREE SPECIFIED REGIONS OF THE PALE.

Region.	Number of workingmen.			Per cent of Jewish of total reported to committee.	Calculated number of Jewish workingmen.
	According to census figures (1897).	Reported to Jewish colonization committee.			
		Total.	Jewish.		
Northwestern Russia.....	51,659	41,589	22,279	53.6	27,689
Southwestern Russia.....	108,769	83,280	9,596	11.5	12,508
Southern (new) Russia	74,775	33,341	2,058	6.2	4,636
Total.....	235,203	158,210	33,933	21.4	50,033

No such comparison is possible for the 10 Polish Provinces; but if it be supposed that the proportion is about the same and the 12,380 recorded Jewish workingmen of Poland be taken to represent about 18,000 workingmen in that section, then the total number of Jewish factory workers in the entire Pale would be about 68,000. When it is remembered that the large industrial centers like Lodz and Bialystok are included in this total, its inadequacy becomes apparent. It must be borne in mind that these data at best are over nine years old; that, as was shown in a preceding table, the number of factory workers increased 150 per cent in the eight years, 1889 to 1897, and that Russian industry has developed considerably since the latter date. Then, too, it has been pointed out in a previous section of this article that a great number of the so-called artisans' shops are in reality small factories, therefore a considerable number of so-called artisans are but skilled factory employees. When all these facts are taken into consideration, the statement seems plausible that there are at the present time from 100,000 to 150,000 Jewish factory employees in the Pale. It is nevertheless true that while the Jews constitute almost one-half of the city population, and the commercial and industrial half, only about 20 per cent of the factory workers are Jews. A great many reasons, besides those of a historical nature mentioned above, have combined to retard the transformation of the poor Jewish mass in Russia into an army of factory employees; it is because some of these reasons are absent and the others are

weakened that this transformation is going on much more rapidly in the United States.

One of these reasons is the strength of the religious convictions of the Russian Jew and his strict compliance with all the rites and observances, especially those relating to the Sabbath. This makes the operating of a factory that employs both Jewish and non-Jewish workingmen a rather difficult matter, because the Jewish workingmen are forced to stop their work at sunset on Friday night and rest on Saturday, while the non-Jewish rest on Sunday. This difficulty becomes more serious in establishments with mechanical power, since neither the plan of running two days a week on half power nor that of stopping work altogether for two days a week is likely to appeal to the manufacturer. The objection to factory work is much stronger among the older than among the younger generation and is rapidly losing ground; but it is still much stronger among the Jews in Russia than among the Jews in New York City, where many factors tend to destroy the strict observance of all demands of the Jewish Church.

Another factor over which the Jews have had no control are the rules regarding the right of sojourn beyond the limits of the cities. It is shown above how these rules keep back Jewish capital from entering various branches of industry. In the case of the Jewish workingman, this entirely prevents employment in some of the important factory industries. Jewish labor is practically unknown in the sugar-beet factories, nearly all of which are located beyond the city limits. In all such factories there were employed only 531 Jewish workingmen out of a total of 65,258, or 0.8 per cent. In lumber mills there were 1,213 Jewish workingmen out of a total of 19,239, or 6.3 per cent. Few Jewish workers were found in the large mining industries.

Another peculiar difficulty that the Jewish workingman is forced to meet when in quest of employment is the strong anti-Semitic sentiment existing among many manufacturers, especially among the manufacturers of Lodz, where German capital is strongly represented. This is shown in the following comparison for 1,867 factories reported in Poland:

TOTAL EMPLOYEES AND NUMBER OF JEWISH EMPLOYEES IN 1,867 FACTORIES IN POLAND, BY OWNERSHIP OF FACTORIES, 1898.

Ownership of factories.	Employees.		
	Total.	Jewish.	Per cent of Jewish of total.
Jewish.....	43,011	11,954	.27.8
Non-Jewish.....	45,925	426	.9

Though the Jew is much more predominant in the textile factories of Bialystok, the same tendency is noticed there.

TOTAL EMPLOYEES AND NUMBER OF JEWISH EMPLOYEES IN TEXTILE FACTORIES OF BIALYSTOK, BY OWNERSHIP OF FACTORIES, 1898.

Ownership of factories.	Employees.		
	Total.	Jewish.	Per cent of Jewish of total.
Jewish.....	3,863	2,885	74.7
Non-Jewish.....	3,908	134	3.4

These figures convey the strong impression that there is a decided racial discrimination in the matter of hiring labor. To some extent it may be explained by the difficulty of the Sabbath rest, which may seem much more objectionable to a non-Jewish than to a Jewish manufacturer. This consideration does not change the economic aspect of the fact that the nationality of the manufacturer becomes a matter of serious import to the workingman. If the newly arrived Jewish immigrant finds no great difficulty in obtaining employment in New York City, it may to a great extent be due to the existence of a large number of Jewish employers, and here may be found the true explanation of at least one important cause of the concentration of the Jewish immigrants in a few large industrial centers.

Strange as it is this racial discrimination may be found in some of the great cotton factories of Lodz, which belong to Jews but are supervised by German master mechanics and foremen who have brought the anti-Semitic feeling along with them from Germany.

Another peculiar reason that works against the Jewish factory worker is the unwillingness to trust him with complicated machinery and mechanical power. There is a decided difference recorded in the proportion of Jewish workingmen as between factories with and factories without mechanical power, the difference being greatest in Poland where the supply of German skilled labor comes in competition with Jewish labor.

TOTAL EMPLOYEES AND NUMBER OF JEWISH EMPLOYEES IN POLISH FACTORIES, CLASSIFIED AS TO WHETHER OR NOT POWER IS USED, 1898.

Kind of factory.	Employees.		
	Total.	Jewish.	Per cent of Jewish of total.
All Poland:			
With power.....	27,582	5,236	19.0
Without power.....	15,429	6,718	43.5
Lodz (textile industry):			
With power.....	10,967	1,184	10.8
Without power.....	1,881	779	41.4

This distrust probably acts most powerfully in eliminating the Jewish workingman from certain industries, as, for instance, the metal industries and the production of machinery. It may be that the lower muscular strength of the average Jew or his peculiar school training, which lasts through many hours day in and day out for many years and develops his speculative power at the expense of his manual dexterity, makes him unfit for work at many of the machines. Surely it is difficult to suspect the Jew of unwillingness to enter the industries mentioned, when he is usually found in the trades that are most unwholesome and injurious.

The general statistics of occupation may give some information as to the trades preferred by the Jews, but owing to incomplete classification it is impossible to arrive at any definite idea in regard to the kind of factories in which Jewish labor is preferred. The report of the Jewish Colonization Society contains the following table, but unfortunately does not give the actual figures upon which the percentages are based:

PER CENT OF JEWISH EMPLOYEES OF TOTAL EMPLOYEES IN THE PALE IN EACH SPECIFIED INDUSTRY, BY REGIONS, 1898.

Industry.	North-western Russia.	South-western Russia.	Southern (new) Russia.
Gloves.....	100.0	100.0	.....
Brushes, etc.....	96.8	.....	.....
Matches.....	95.2	12.0	.....
Tobacco.....	92.1	78.4	56.4
Soap.....	84.7	81.1	63.6
Buttons.....	84.2	.....	.....
Hides and tanning.....	64.6	45.8	68.0
Candies.....	62.4	100.0	.....
Wool spinning.....	57.7	.....	.....
Flour milling.....	51.5	34.6	27.3
Beer brewing.....	50.1	36.5	34.8
Brickmaking.....	49.4	8.5	3.0
Wool weaving.....	31.8	.....	.....
Distilling.....	25.4	4.2	21.4
Lumber mills.....	18.3	18.3	30.1
Cast-iron mills.....	14.9	15.2	.7
Machinery.....	4.2	.....	.....

In Poland the data refer to the Jewish factories alone, and such calculation of the percentages would be misleading; but there also the same trades have especially attracted Jewish labor. The textiles employ about 4,000 persons; tobacco, 1,300; paper, about 1,000. It is impossible to escape the conclusion that as yet the most injurious trades continue to monopolize Jewish factory labor, and this tendency is most pronounced in the northwestern Provinces, where the distress is most acute.

FEMALE AND CHILD LABOR IN THE FACTORIES.

In the section devoted to the artisans it is shown that though female work in the industrial field is still a novelty, yet within the last few decades it has been growing more common. It is to be

expected that this growth will show itself in a greater degree in factories than in small artisans' shops, for factory work does not as a rule require the same amount of special training. It might be thought that in view of the cheapness of labor the incentive to employ female and child labor would not be strong; but the data in regard to the Jews in the Pale show the fallacy of the assertion that only dearness or scarcity of labor drives the manufacturer to employ female and child labor.

NUMBER AND PER CENT OF JEWISH MEN, WOMEN, BOYS, AND GIRLS IN THE PALE WORKING IN FACTORIES, BY REGIONS, 1898.

Sex.	Northwestern Russia.		Southwestern Russia.		Southern (new) Russia.		Poland.	
	Number.	Per cent.	Number.	Per cent.	Number.	Per cent.	Number.	Per cent.
Men.....	11,693	57.6	6,746	70.7	1,642	79.8	6,984	62.6
Women.....	5,492	27.0	988	10.4	106	5.1	2,345	21.0
Boys.....	1,389	6.8	860	9.0	158	7.7	867	7.8
Girls.....	1,749	8.6	940	9.9	152	7.4	962	8.6
Total.....	20,323	100.0	9,534	100.0	2,058	100.0	11,158	100.0

The proportion of female and child labor together is seen to be in indirect proportion to the general level of prosperity. It equals 42.4 per cent in northwestern Russia, 37.4 per cent in Poland, 29.3 per cent in southwestern Russia, and only 20.2 per cent in southern Russia, the four main divisions of the Pale being mentioned in the regular scale of economic well-being.

Female and child labor is found in many industries where its application is likely to be the most injurious—in brick factories, in match factories, in textile factories, etc.—and is encouraged by the development of that most pernicious form of industrial work, the domestic system. Thus, in many small towns where match factories have been established, it is customary for girls to do at home work of a nature that can be done there; such as, for instance, packing the matches. In the textile centers of Lodz and Bialystok there exist a great number of weavers who do their work at home on their own looms, usually all the members of the family taking part in the work, though sometimes they are assisted by a hired worker. This feature of industry has been spoken of above in discussing the marketing of products.

WAGES OF FACTORY WORKERS.

Of the conditions of the wage contract those that are of greatest importance are the hours of work and the wages, and of neither of these two problems is it possible to present accurate statistics; that is, properly calculated averages. The best that can be done is to give all available, fragmentary information, which, though it lacks the desirable scientific accuracy, nevertheless conveys some informa-

tion as to the general level of wages. Of the hours of work and the organized efforts toward their reduction, an account will be given in the section devoted to the labor movement and the Bund, the main organization of the Jewish wageworkers.

Twenty years ago a Russian economist, Mr. A. P. Subbotin, whose work has already been quoted, investigated the economic condition of the Jewish Pale, and stated that the wages of the factory workers, the number of whom was very small at that time, were "quite high." In the tobacco factories of Vilna they reached as much as 5 rubles (\$2.58) per week for the men and $2\frac{1}{2}$ rubles (\$1.29) per week for the women. He commended the Jewish workers, because "one never hears of acute conflicts with the employers, which are becoming so common in the central Provinces of Russia." The next section of this article will show how much these conditions have changed within the last twenty years. In the city of Bialystok, which even at that time had begun to gain great importance as a center of the woolen industry, the best paid workingmen, the weavers, sometimes earned from 6 to 8 rubles (\$3.09 to \$4.12) a week, and this income made the Bialystok weaver an aristocrat among the Jewish workingmen. A great number of children worked in the tobacco factories, where they earned from 25 copecks to 1 ruble (13 to 51.5 cents) a week.

Of all the Jewish wageworkers the brush makers are the best organized. As early as 1895 they succeeded in forming a general union of the brush workers, which in 1897 joined the Bund as an independent national union. In its report to the international socialist congress in Paris in 1900 this union contributed a table of wages of brush makers in the twelve main towns of the Pale. From this table the following data are taken: (^a)

The average weekly wages in different towns varied from 2.80 to 5.85 rubles (\$1.44 to \$3.01), the maximum ranging from 5 to 8 rubles (\$2.58 to \$4.12) and the minimum from 5.25 rubles to 75 copecks (\$2.70 to 39 cents). Even this income was not steady, because the number of weeks of regular employment during a year varied from 46 to 25.

In the two large volumes on the economic condition of the Jews in Russia, published by the St. Petersburg committee of the Jewish Colonization Society, very little information in regard to wages is to be found, because the data were collected from the proprietors of the factories, and it was feared that a question in regard to wages would prevent a truthful answer to all questions asked. The few fragmentary data found therein refer to 1897, and therefore may not have more than a theoretical value. In Warsaw, in the metal industry, the Jewish workers at that time did not earn more than 30 to 35,

^a Zhisn, a Russian magazine which was published for a short time in June, 1902, p. 83.

copecks (15 to 18 cents) per day, on the average, the maximum being about 1 ruble (51.5 cents) for the men and 70 copecks (36 cents) for the women. In a trade as skilled as that of a clockmaker the weekly wages of adults were only from 7 to 15 rubles (\$3.61 to \$7.73) and those of children from 2 to 4 rubles (\$1.03 to \$2.06). In the toy factories in Czenstochow, Poland, the wages of adult Jewish workers were stated to be from 3 to 5 rubles (\$1.55 to \$2.58) per week, while girls below 15 years of age, who made up 60 per cent of the employees, received from 80 copecks to 1.20 rubles (41 to 62 cents) and those over 15 years from 1.80 rubles to 2.50 rubles (93 cents to \$1.29) a week. In Lodz the weavers who are in the employ of the factories, but who do their work at home, earn from 8 to 10 rubles (\$4.12 to \$5.15) a week, but they usually employ help, whose earnings seldom exceed 3 or 4 rubles (\$1.55 to \$2.06). In the woolen factories of Bialystok the weekly wages of the male workers seldom exceed 6 rubles (\$3.09), while those of the women and girls are as low as 1.50 or 2 rubles (77 cents or \$1.03).

It is probable that down to the second half of the nineties the average wages of the Jewish workers did not rise much, if at all. The growing congestion of the cities of the Pale and the increase of special restrictive legislation against the Jews so flooded the labor market that natural competition was all against the wageworkers. From that time on, however, the Jewish labor movement has asserted itself, and while the general level of wages remains low from the European and especially from the American point of view, the present conditions seem to indicate a strong tendency toward increased wages. The official publications of the Bund, which formerly appeared in Geneva, contained in nearly every number accounts of strikes, usually very small ones, where the demands for both shortening of the labor day and for increase of wages were invariably made and often carried. Unfortunately the correspondents cared a great deal more for the political effects than for the economic results of the strikes, and seldom reported the actual wages and the increases. From private inquiries made of many persons who recently left the Jewish Pale and had either worked in the factories or had the opportunity to observe the life of Jewish workers it seems a warrantable conclusion that 6 or 8 rubles (\$3.09 or \$4.12) a week is a very fair wage and that the ordinary wage is probably nearer to 5 rubles (\$2.58).

LABOR ORGANIZATIONS.

The organization mentioned several times in the preceding pages as having influenced the conditions of work of the Jewish wageworker in Russia is the so-called Bund, or to use its official title, "Der allgemeine Jüdische Arbeiterbund in Littauen, Polen, und Russland."

The economic activity of the Bund is all that concerns us here, but it is difficult, if not impossible, to understand this interesting organization without a few remarks with regard to its general nature, which is a peculiar one, owing to the exceptional political conditions of Russia. In its economic field the Bund endeavors to do the work of the American labor unions, yet it is a very different organization from the American Federation of Labor.

It must be borne in mind that the Russian code does not provide for the existence of labor unions, and that even at the present time, when dozens of labor unions have been formed in the open since October, 1905, a law providing for the existence of such organizations is still in the process of elaboration. Also, it must be remembered that Russian law specifically prohibits the strike, the main weapon of a labor union, as well as any form of collective activity. Thus, every effort at labor organization and collective bargaining is legally a crime, and this prevents the growth of a peaceful labor movement. The low educational standard of the mass of the workingmen is another great obstacle to such development. In discussing the "khevrass" in a preceding section it was shown how out of these mutual benefit organizations of the Jewish artisans, whose educational and intellectual standard fifteen or twenty years ago was immeasurably higher than that of the Russian workingmen, some semblance of a limited labor movement developed; but these secret and local organizations could not have any great influence over the condition of the working class.

Both the Jewish and the Russian labor movements have grown out of the political revolutionary propaganda and are still closely associated with it.

During the nine or ten years of its existence the history of the Bund, notwithstanding the great obstacles which the necessity of secrecy put in the way of a labor movement, was one of very rapid growth. According to the report presented by the central committee of the Bund to the International Socialist Congress, held in Amsterdam in 1904, the number of organized workingmen in 1904 was estimated to be 30,000, (^a) but any such estimate may have only a general value. Undoubtedly a great many persons must be under the influence of this organization who do not wish to be openly identified with it. Then, too, in hundreds of small towns clubs have been established which are not always in direct communication with the central organization. In the same report 35 large and important cities are mentioned in which organizations of the Bund existed, but the periodical publications of the Bund often contribute news of the activity

^a Die Thätigkeit des Allgemeinen Jüdischen Arbeiterbundes in Littauen, Polen, und Russland ("Bund") nach Seinem V. Parteitag. Geneva, 1904.

of the Bund organizations beyond these 35 cities. Thus, within that year alone over 25,000 Jewish workingmen struck in the region influenced by the Bund, and in the general strike which swept over Russia during the second half of the year 1905 the number of Jewish strikers went into hundreds of thousands.

This origin of the Jewish labor movement in the socialist and revolutionary movement had very significant consequences, since it led to a close union of efforts: Of the working masses to improve their economic condition; of the Jewish race in Russia to improve its legal standing, and of the revolutionary elements to introduce an entirely different form of government in the Russian Empire. The distinctive feature of the Bund is that it endeavors to do all these things at the same time, and to a certain extent other Russian socialist organizations share this peculiarity with the Bund.

A few data as to the extent of the activity of the Bund will be found suggestive. According to the imperfect registry kept by the central committee of the Bund, there took place during the year, June, 1903, to June, 1904, 429 meetings, in 418 of which 74,162 persons participated; 45 street demonstrations, in 31 of which 20,340 persons took part, and 41 political strikes (including 35 May celebrations), in 31 of which there were 23,035 participants.

The term "political strike" is used when a stoppage of work is ordered by the organization for no specific economic reason, but simply to demonstrate the strength of the movement. Such strikes are usually of brief duration, being ordered for only one, two, or three days, as the case may be. They are especially frequent on the 1st of May, all socialist organizations in Russia celebrating that day with short strikes or with street demonstrations and large meetings.

During the same year 109 strikes were reported, and in 101 of these strikes, for which careful data were furnished, 24,124 persons participated.

The strikes are usually conducted by the local organizations of the Bund, together with the assistance of the strikers themselves, although among the strikers many men are often found who are not permanently identified with the organization. In preparation for such a strike the workingmen of a certain industry or trade, or even of a certain factory, may combine and keep up some form of benefit fund, but this is far from being a trade union. One of the many interesting features of the Jewish labor movement is the fact that although the central committees of the Bund made every effort to keep up among the workingmen the agitation for strikes and other forms of struggle with the employers, they did not encourage the formation of trade unions; not because they doubted the economic efficacy of the trade union in the work of improving the condition of the workingmen, but because, so they claimed, the formation of trade

unions would narrow down the efforts of the workingmen to their own individual or group interests, and thus deplete the ranks of the fighters for the political cause.

The leaders themselves feel that such a policy, aside from its wisdom or unwisdom, can not be carried on when the formation of labor unions shall have been legalized in Russia. Even at the present time the project of a law to legalize unions and strikes is being actively elaborated in St. Petersburg. Immediately after the issuance of the manifesto of October 17 (29), 1905, dozens of labor unions were formed within as well as without the Pale. The question of the attitude of the Bund, as a political organization, toward the formation of these unions immediately arose, and the decision reached is significant.

In the official circular published in the last issue of the *Letzte Nachrichten* (No. 255), dated December, 1905, the central committee of the Bund calls attention to the fact that the conditions caused by the manifesto of October 17 (29), 1905, make the creation of professional (trade) unions, both possible and necessary.

According to Mr. M. Gourevitsch, who is a member of the central committee of the Bund, the economic activity of the Bund is becoming greater each day. The period 1897 to 1900 was one of struggle for a 10-hour labor day (or twelve hours a day with two hours at midday for rest). At present the struggle may be characterized as one for the 9 and 8 hour day in the higher trades and the larger cities, and a 10-hour day in the small towns and lower trades. The strikes for this shortening of the labor day have had unusual success. Out of the 119 strikes which were registered in the year 1903-4, 81, or 68 per cent, ended in a full victory for the workingmen; 23, or 19 per cent, in partial victory for the workingmen, and 15, or 13 per cent, in failures. Approximately, of the victorious strikes 50 per cent led to the establishment of a 10½-hour (or 10 hours net) day, 30 per cent to a 9-hour day, 10 per cent to an 8-hour day, and 10 per cent to a 11-hour day. While the shortening through each strike is usually equal to 1 hour, sometimes in very backward trades much more considerable reductions have taken place at once. The female bakers within the last few years have succeeded in reducing their hours of work from 19 to 12; the tailors, from 17 to 12; the shoemakers, from 17 to 12, and, as will be pointed out elsewhere, the salesmen, from 15 or 16 to 10 or 11. In the latter half of the year 1904 there were registered 56 strikes, of which number 41 were defensive and 15 offensive. Of these 56 strikes, about 70 per cent were successful. An interesting feature of the activity of the Bund within recent times is the carrying of the agitation for strikes among those classes of employees in which neither the United Kingdom nor the United States have been used to see any organized efforts for the improving of the conditions of the wage contracts. Of the strikes of the commercial employees more

will be said when discussing the condition of that class. Draymen in Pinsk and Berdichev, boatmen in Kovno, hotel attendants in Pinsk and Slonim, and even domestic servants in Warsaw, Grodno, Mohelev, Bobruisk, Pinsk, and Dvinsk have struck for higher wages and shorter hours. Strangely enough the domestic servants have shown themselves especially susceptible to the agitation of the Bund. The following, for instance, were the conditions demanded by the servants during their strike in Dvinsk:

Hours to be from 8 a. m. to 9 p. m., with a recess of one and one-half hours.

On Saturdays the work shall stop at 3 p. m.

Wages to be increased.

The servants to have private rooms.

The employer to provide medical treatment in case of necessity.

The right to receive visitors after working hours.

In case of dismissal without cause the servant shall receive two weeks' salary.

The many-sided activity of the Bund, carried on as it was until recently under conditions of great secrecy, did not offer many opportunities for development of original methods of trade-union activity. As has been shown, its activity was mainly in the nature of strikes. Only occasionally were boycotts used, and then almost exclusively for causes which were not purely economic. The Bundists take the ground that the law is against the workingmen, and that the rules of a fair fight forbid the employer from appealing too readily to the police and the military for assistance. Moreover, where striking workingmen have been turned over by their employers to the authorities the strikers have been punished not so much for participation in the strike as for belonging to the revolutionary Bund. Such appeals are therefore considered in the nature of informing and are punished by declaration of a boycott. The best known case is that of a shoe manufacturer in Warsaw against whom a boycott was declared soon after the strike wave of January, 1905. The boycott must have threatened him with ruin, since the manufacturer was forced to appeal to the Bund for relief, promising to yield to all their demands. The boycott against him was called off only after he sent the following declaration to the local committee of the Bund in Warsaw, which declaration was published in full in the official organ of the Bund: (^a)

DECLARATION.

Recognizing that the boycott declared against me by the Bund for my contemptible treatment of my workingmen (as physical assault, and even turning them over into the hands of the police) has been well deserved by me; recognizing that I am actually guilty of the accusations brought against me, and desiring to clear my name of

^a Die Letzte Nachrichten, No. 244; August 5, 1905.

this disgraceful blot, I applied to the Warsaw committee of the Bund with the request to call off the boycott against me, and agreed in advance to all the demands which will be made by the Bund.

These demands are as follows: To dismiss several objectionable workingmen; to reimburse the workingmen for all the time during which they were out of employment through my fault; not to give out any work to be performed in the house of the workingmen; to employ only those workingmen who will be indicated by the Bund; and to publish all these facts in some newspaper.

(Signed) ———.

Warsaw, June 23, 1905.

Only a very disastrous boycott could call forth such a statement; and this effectiveness of the boycott is due to the fact that the influence of the Bund extends beyond the workingmen far into the middle classes, among those who are willing to disregard the economic work of the Bund on account of its political work and its defense of the Jew.

COMMERCIAL PURSUITS.

While the general impression that the Russian Jew is a person fit only for commercial life has been shown to be at variance with the facts, it remains true that commerce employs a great number of the Jewish breadwinners in Russia. According to the Russian census, as shown in the table on page —, 31.6 per cent of the Jews employed in gainful occupations were earning their living from some form of commerce. If, in addition to these persons, the number dependent upon them for a livelihood is considered, it appears that 35.6 per cent of the total Jewish population in Russia belong to the commercial class. In calculating these per cents the hotel, restaurant, and saloon keepers have been omitted from the commercial class in order to conform the classification to that of the United States census. If these occupations with their dependents are included under commerce the percentage in the commercial class rises to 37.5 per cent of all the Jews in Russia. Therefore, a study of Jewish commerce is a matter of utmost importance. It is to be regretted, however, that very little authentic data in regard to this subject are to be had, the only available data being more than 20 years old, and for that reason scarcely applicable at this time. But while accurate statistical data are lacking, that does not preclude the possibility of drawing a more or less true picture of the condition of the Jewish merchants.

According to the Russian census of 1897, a total of 1,495,087 persons were employed in commercial pursuits in all Russia (including hotel and liquor saloon keepers). Of this total the Jews number 474,833 persons, or 31.8 per cent. But in the Pale the proportion is considerably greater. As is shown in the following table, the Jews constitute nearly three-fourths of the commercial class of the Pale (448,514 out of 618,762, or 72.5 per cent). This proportion

between the number of Jews and the total number of persons engaged in commercial pursuits varies considerably from region to region and from one Province to another. In the northwest the Jews constitute almost 90 per cent of the commercial class—in Grodno and in Minsk even over 92 per cent. Practically all the commercial activity in these Provinces is in the hands of the Jews. In the southwest the Jews constitute only three-fourths of the commercial class, and in southern (new) Russia a little over one-half. The percentage rapidly declines the farther we go from the center of Jewish congestion, which is found in the northwest; and with the decline of this percentage there was noticeable, at least until the recent disturbances, a rise in the economic condition of the merchants.

The following table gives by Provinces and by regions in the Pale the number of Jews engaged in commerce compared with the total number of persons so engaged:

NUMBER OF JEWS ENGAGED IN COMMERCE COMPARED WITH TOTAL PERSONS SO ENGAGED IN THE PALE, BY PROVINCES AND REGIONS, 1897.

Compiled from the separate reports in Provinces of Premier Recensement Général de la Population de l'Empire de Russie, 1897.]

Province and region.	Total persons engaged in commerce.(a)	Jews engaged in commerce.(a)	
		Number.	Per cent of total.
Vilna	18,884	16,178	85.7
Grodno	20,545	19,005	92.5
Kovno	20,662	17,821	86.3
Lithuania	60,091	53,004	88.2
Minsk	25,555	23,588	92.3
Vitebsk	19,781	16,713	84.5
Mohelev	19,578	17,641	90.1
White Russia	64,914	57,942	89.3
Volhynia	39,434	35,172	89.2
Podolia	44,660	39,040	87.4
Kiev	63,740	45,718	71.7
Chernigov	21,015	12,736	60.6
Poltava	23,954	13,910	58.1
Southwestern Russia	192,803	146,576	76.0
Bessarabia	32,253	24,636	76.4
Kherson	62,321	37,058	59.5
Yekaterinoslav	25,823	11,673	45.2
Taurida	25,385	5,987	23.6
Southern (new) Russia	145,782	79,354	54.4
Warsaw	52,497	32,178	61.3
Kalisz	9,305	5,995	64.4
Kielce	10,240	8,725	85.2
Lomza	6,477	5,484	84.7
Lublin	16,019	13,982	87.3
Petrikau	28,812	19,860	68.9
Plock	5,810	2,579	44.4
Radom	11,313	9,946	87.9
Suvalki	4,987	4,169	83.6
Siedlec	9,712	8,720	89.8
Poland	155,172	111,638	71.9
Total in Pale(a)	a 618,762	a 448,514	72.5

a Including hotel, restaurant, and saloon keepers; hence totals do not agree with totals shown for commerce in tables on pages 501 and 502.

In a preceding section a table was given (p. 502), showing the distribution of the Jews gainfully employed into the great occupation groups by separate regions of the Pale. It was shown there that of all Jews engaged in gainful occupations a smaller percentage were in commercial life in the northwest than in the south and southwest. On the other hand, we find here that of all persons engaged in commerce the Jews constitute a larger proportion in the northwest than in the south. Coupled with the fact that the south received most of its Jewish population by immigration from the northwest, these percentages seem to indicate that, until recently at least, southern Russia offered better prospects to Jewish immigrants of the middle classes, while the wage-earners were tending to the New World.

An analysis of the proportion of the Jews in various branches of commercial life presents many interesting features. It shows, first of all, that almost one-half of all the Jewish merchants deal in agricultural products such as cattle, grain, hides, furs, etc. It also shows a very high proportion of that trade in Jewish hands. Thus over 90 per cent of the grain dealers are Jews—in southwestern Russia as high as 96.7 per cent and in Lithuania 97.1 per cent. A very large number of Jews is found in general commerce or the group of commercial middlemen and peddlers, which usually means very petty trading. The better paying branches of commercial activity are just those in which the number of Jews is smallest. Thus institutions of credit require some capital, and the Jews constitute only 34.9 per cent of that class in the Pale, while in the south they constitute only 29.1 and in Poland only 18.1 per cent. A bookstore can not be opened without special permission, and as a result less than half of the stores of that group are in Jewish hands. Of the liquor saloon keepers, less than two-fifths and of the hotel keepers less than one-third are Jews. In the southwest the number of Jews employed as liquor saloon keepers is extremely small.

NUMBER OF JEWS ENGAGED IN COMMERCE COMPARED WITH TOTAL PERSONS SO ENGAGED IN THE PALE, BY MERCANTILE PURSUITS AND REGIONS, 1897.

[Compiled from separate reports on Provinces of Premier Recensement Général de la Population de l'Empire de Russie, 1897.]

Mercantile pursuits.	Lithuania.			White Russia.			Southwestern Russia.		
	Total persons.	Jews.		Total persons.	Jews.		Total persons.	Jews.	
		Num-ber.	Per cent of total.		Num-ber.	Per cent of total.		Num-ber.	Per cent of total.
Institutions of credit.....	797	416	52.2	579	365	63.0	1,783	690	38.7
Commercial middlemen.....	1,255	1,116	88.9	1,478	1,341	90.7	5,173	4,499	87.0
General commerce.....	10,607	9,714	91.6	9,591	8,790	91.6	35,487	29,113	82.0
Dealers in—									
Cattle.....	1,388	1,227	88.4	3,230	2,621	81.1	8,793	6,825	77.6
Grain.....	2,423	2,353	97.1	3,325	3,120	93.8	21,344	20,643	96.7
Other agricultural products...	21,817	20,134	92.3	23,784	22,264	93.6	57,549	44,168	76.7
Building material and fuel....	3,424	3,192	93.2	6,486	5,950	91.7	11,154	9,538	85.5
Household goods.....	664	585	88.1	699	605	86.6	2,665	1,878	70.5
Metal goods and machinery...	710	611	86.1	836	770	92.1	2,593	2,021	77.9
Dry goods and clothing.....	4,066	3,799	93.4	4,160	3,980	95.7	14,976	12,802	85.5
Hides, furs, etc.....	1,401	1,133	80.9	1,578	1,527	96.8	5,583	4,512	80.8
Articles of luxury, books, etc.	644	416	64.6	577	467	80.9	1,577	634	40.2
Miscellaneous articles.....	1,195	822	68.8	1,312	790	60.2	4,034	2,845	70.5
Peddlers, etc.....	3,321	3,090	93.0	2,077	1,769	85.2	3,825	2,200	57.5
Hotel and restaurant keepers....	2,794	1,453	52.0	2,545	1,555	61.1	7,757	3,377	43.5
Liquor saloon keepers, etc.....	3,585	2,943	82.1	2,657	2,028	76.3	8,510	831	9.8
Total.....	60,091	53,004	88.2	64,914	57,942	89.3	192,803	146,576	76.0

Mercantile pursuits.	Southern Russia.			Poland.			Pale.		
	Total persons.	Jews.		Total persons.	Jews.		Total persons.	Jews.	
		Num-ber.	Per cent of total.		Num-ber.	Per cent of total.		Num-ber.	Per cent of total.
Institutions of credit.....	1,608	468	29.1	1,622	293	18.1	6,389	2,232	34.9
Commercial middlemen.....	5,726	4,103	71.7	5,870	4,185	71.3	19,502	15,244	78.2
General commerce.....	18,897	10,479	55.5	42,337	32,083	75.8	116,919	90,179	77.1
Dealers in—									
Cattle.....	3,254	1,774	54.5	3,885	3,001	77.2	20,550	15,448	75.2
Grain.....	17,596	14,041	79.9	8,056	7,350	91.2	52,744	47,507	90.1
Other agricultural products...	42,978	22,865	53.2	40,059	28,776	71.8	186,187	138,207	74.2
Building material and fuel....	5,942	3,725	62.7	5,328	3,915	73.5	32,334	26,320	81.4
Household goods.....	2,234	1,279	57.3	1,494	1,200	80.3	7,756	5,547	71.5
Metal goods and machinery...	2,067	1,318	63.8	2,133	1,747	81.9	8,339	6,467	77.6
Dry goods and clothing.....	16,025	10,599	66.1	10,534	8,541	81.1	49,761	39,721	79.8
Hides, furs, etc.....	2,511	1,671	66.5	3,416	3,039	89.0	14,489	11,882	82.0
Articles of luxury, books, etc.	1,333	516	38.7	1,650	790	47.9	5,781	2,823	48.8
Miscellaneous articles.....	2,996	1,283	42.8	2,431	1,548	63.7	11,968	7,288	60.9
Peddlers, etc.....	4,251	2,030	47.8	9,893	8,674	87.7	23,367	17,763	76.0
Hotel and restaurant keepers....	11,149	1,899	17.0	6,171	1,679	27.2	30,416	9,963	32.8
Liquor saloon keepers, etc.....	7,215	1,304	18.1	10,293	4,817	46.8	32,260	11,923	37.0
Total.....	145,782	79,354	54.4	155,172	111,638	71.9	a618,762	a448,514	72.5

^a These totals do not agree with those given under commerce in the tables on pages 501 and 502, where the hotel, restaurant, and saloon keepers are included in personal service.

Of the total number of Jewish merchants in the Pale, 213,044, or 47.5 per cent, were dealing in agricultural products (including hides, furs, etc.). Their function evidently is to gather the farm products from the agricultural population of the Pale for shipment and sale in distant localities, and they stand to the surrounding population in the capacity of buyers. With the exception of small groups of large wholesale merchants the majority of the remaining 52.5 per cent are sellers of various kinds of goods to the same population of the villages, and also to the population of the cities. It is a fallacy of old standing that the only occupation of the Jew of the Pale is to sell liquor to the Russian peasant. No matter what the wishes of the average Jew might have been in the matter, it is an important fact that in 1897 only 32.8 per cent of the hotel and restaurant keepers and only 37.0 per cent of the liquor-saloon keepers were Jews. Undoubtedly this was in a measure due to the legislative restrictions, the laws of 1882 having forced many Jews out of the liquor business by denying them the right to live in the villages. Another factor of no less importance was the introduction of the State monopoly of the sale of liquor. The effect of this measure is only partly reflected in the statistics of 1897, because the census was taken during the time of the gradual introduction of this measure in the Pale. As a result, the proportion of Jewish saloon keepers in southwestern Russia was only 9.8 per cent and in the south 18.1 per cent, while in the northwest nearly 80 per cent of the saloon keepers were Jews. Since then practically all the Jews have been eliminated from this field of commerce, and doubtless the families (nearly 12,000) that lived by this trade in 1897 were forced to swell the army of the unemployed in the cities.

In this connection it is worthy of notice that under conditions of freedom to enter the saloon keeper's trade the Russian Jews do not show any strong liking for this occupation. As is shown in the following table, the male Russians gainfully employed in New York City constitute 6.56 per cent of all male persons gainfully employed, while the Russian saloon keepers represent only 2.77 per cent of the total number of saloon keepers. In other words, while there are 45 saloon keepers per 10,000 males gainfully employed there are only 19 Russian saloon keepers per 10,000 Russians gainfully employed as against 56 per 10,000 in the remaining foreign population. The mass of the Jewish merchants and all persons occupied in some commercial activity, whether or not they deserve to be called merchants, may be classified into two groups—those who stand toward the local population in the capacity of buyers and those who are sellers of goods. The buyers are those who come mostly in contact with the agricultural population. It is this class which is probably meant where the report of the census of 1897 says: "The Jews do not till the land themselves, but exploit the land tiller." In view of this

official opinion it is interesting to study the methods which are used by these buyers in dealing with the peasants.

NUMBER AND PER CENT OF RUSSIAN MALES AND OF MALES IN OTHER NATIVITY GROUPS ENGAGED IN ALL GAINFUL OCCUPATIONS AND AS SALOON KEEPERS IN NEW YORK CITY, AND NUMBER OF SALOON KEEPERS PER 10,000 MALES EMPLOYED IN EACH GROUP, 1900.

[Compiled from report on Occupations: Twelfth Census of the United States, pages 635 and 636.]

Nativity.	Males employed.		Male saloon keepers.		Num-ber of saloon keepers per 10,000 males em-ployed.
	Number.	Per cent.	Num-ber.	Per cent.	
Russians.....	72, 291	6. 56	136	2. 77	19
All other foreign white and native white of foreign parentage.....	808, 307	73. 31	4, 514	91. 88	56
Native white of native parentage.....	195, 205	17. 71	236	4. 80	12
Colored.....	26, 668	2. 42	27	. 55	10
Total.....	1, 102, 471	100. 00	4, 913	100. 00	45

The 213,044 dealers in agricultural products serve in the movement of the crops and other agricultural products from the peasant to the market, which is usually some distance away, and often beyond the borders of Russia. In estimating this function it must be remembered that the commercial methods of the Russian peasants are exceedingly primitive; there are no local elevators and no feeding railroad lines, and the peasant, when forced to sell some of his grain so as to pay his taxes and buy the few simple necessities of life, outside of his food, takes the grain to the market to sell, and in the Pale the buyer in almost nine cases out of ten is the Jew. The Jewish "merchant," whose only capital may be the price of a few bushels of corn, is more anxious to buy than the peasant is to sell, for the latter is sure of his ability to sell all he has, the question being only between a higher or lower price, while the Jew is by far not so sure of his ability to buy, and it is the difference of a few cents more or less that means to him either some profit or a loss. It is therefore the buyer that is anxious to capture the seller, and because he has no legal right to travel from one village to the other buying up grain, and as any such transaction would require considerable capital, he employs on the market day the primitive method of going out as far as possible on the road to intercept the peasant before other buyers reach him. The competition among the buyers is very severe and the Jewish merchant is satisfied with almost any profit. It is true that he has better bargaining ability than the Russian peasant, but it is doubtful whether the peasant could obtain as good prices as he does if this keen competition did not exist. Having bought the few bushels of grain or the small quantities of other agricultural products, the Jew is anxious to sell as quickly as possible, that he may recover his capital, and he sells to a merchant who is in a position to accumu-

late purchases of a few carloads until he is ready to ship them to the central market or to Germany.

By reason of the peculiar conditions that prevail in Russia the farm products invariably pass through many more hands than they would otherwise have to, but the rate of profit to each is so small that the entire increment is not excessive. Thus the small merchant of this kind runs about the whole day in his effort to buy as much as possible and as cheaply as possible and considers a daily income of from 50 copecks to 1 ruble (25.8 to 51.5 cents) satisfactory. That sum is scarcely sufficient for his modest living, but it is about as large an income as that of the average artisan without any capital or of the average factory worker; and this merchant is a man with little capital and is of the same social scale as the artisan or the factory worker. This is the condition of the great majority of the grain merchants, though above this class there are the important business men of the centers.

A few decades ago this trade in grain and in other articles of agricultural production was a source of prosperity to many little towns in the northwest. Before the construction of railroads the methods of marketing were different, the competition among the buyers was a great deal less acute, the surplus of the peasants was much greater, and the local market was not so sensitive to the changes of the world market. Thirty or forty years ago the Pale used to ship large quantities of grain, eggs, lumber, etc., along the Niemen and other rivers to the German markets. After making sufficient purchases the Jewish grain dealer or lumber dealer went personally on the rafts to the German markets and sold his merchandise at high profits. But the development of the Russian railroad system and the agricultural growth of the Far East so reduced the grain trade of the northwest, and the increase of the local urban population so affected the surplus, that many families which had accumulated small competencies from this branch of commerce found themselves without any means of subsistence and were forced to migrate into larger cities or to the United States. There are dozens of small settlements all along the Niemen which have fallen from a state of comparative prosperity into one of abject poverty. The few large grain merchants who may be found in most Jewish towns do not in any way disturb the truthfulness of this picture. The very fact—pointed out in a previous section—that the number of artisans and factory workers is rapidly growing, notwithstanding the very large emigration, which to a great extent consists of this class, shows that the earnings of the majority of the business men are probably smaller than the earnings of a busy factory worker, and that in spite of the deplorable condition of the shop and factory workers there is a constant

stream from the commercial pursuits into the trades and into the factories.

The other large class of merchants are the retail dealers, who are to be found in such large numbers in every town of the Pale. It is more than probable that the data of the census are far from complete, the tendency having been to classify among dependents many members of the family who are in reality employed at some trade, especially if it be the same trade in which the head of the family is occupied. The incomes of the majority of the "grain dealers" are so small that the wives are forced to sell something so as to earn a few cents a day.

While a superficial investigation of the trade in the Pale proves the presence of an unnecessarily great number of middlemen, a closer investigation shows that the sufferers are the middlemen themselves and not the consumers. The cheapness of all articles surprises the stranger, and the purchaser who is not a seller profits considerably thereby; but these advantages can not appeal to the Jew very strongly, because most of the purchasers are themselves sellers, and they suffer a great deal more than they profit by the system. The agricultural population seem to be the positive gainers by this competition, and gainers in a double sense—as producers of agricultural products, for which there is always a brisk demand, and as consumers of articles of manufacture, which they obtain at a comparatively low price. It has been acknowledged by many investigators that the average profit of the Jew on the purchase of grain and like products is much smaller than the profit of the Russian middleman in the interior of Russia in similar transactions, and that the general level of prices on manufactured articles in the cities of the Pale is much lower than in the Russian towns. More than this, it is a matter of common observation that even in the same towns the prices in the Jewish stores are lower than in the Russian stores, for, says Subbotin, "The Jewish merchant is satisfied to receive a smaller rate of profit on his turnover, so long as he can turn his capital quicker."

The same observer during his investigation found that in the Province of Minsk the average rate of profit in the stores of the Jewish merchants was 8.07 per cent, while in the stores of the non-Jewish merchants it was 10.02 per cent. In the Province of Kovno the rate of profit to Jews was 4 per cent, while that to the other merchants was 10 per cent. In Kiev the rates were 4.8 per cent and 5.3 per cent, respectively. In Odessa, where the volume of commerce is much larger, the rates of profit were much lower, namely, 2.6 per cent and 3.1 per cent. That the entrance of the Jew into the grain trade of Odessa has diminished the rate of the

middleman's profits is acknowledged by so well known a Russian economist as Professor Yanson.^(a)

But Russian evidence of this fact is scarcely necessary, since the same phenomenon has been well observed in the United States wherever Russian Jews have entered commerce, no matter how petty that commerce may be. It may safely be said that nowhere in the United States are the prices of general merchandise, whether it be dry goods, clothing, or groceries of well-known make and supposedly fixed prices, so low in price as they are on the east side of New York City. Any investigation of retail prices in other cities will show the same differences between Jewish and non-Jewish prices.

It has been stated above that this competition has been intensified during the last twenty years because of the rapid growth of the number of Jewish merchants. This is shown by the great number of new licenses which are issued to merchants each year. But not all trading requires such licenses. The most distressing feature of the economic situation of the Pale is the large number of "pauper merchants," if one may use this term. The women peddlers have already been spoken of. There is, however, a large number of small storekeepers whose economic condition is in no way better than that of the peddlers on the streets or in the markets. These "stores" are located in miserable holes, with but little light or air, and with very limited space. All the available goods for sale may not be worth more than 5 rubles (\$2.58), empty boxes, bags, and papers being artfully displayed with the intention to deceive the prospective buyer into the belief that the "store" is really a store. How these merchants manage to pay the rent and eke out a living is a mystery that is solved only when the kind of living is known. In these "stores" from early morn until midnight may be seen the storekeeper, usually a woman clothed in rags, patiently waiting for the rare customer.

All this must not be taken to mean that there are no large Jewish commercial houses in the Jewish towns, because it is well known that the origin of some of the fortunes among Russian Jews was due to commerce and not to manufacture. To the Jews belong a number of the better stores in the cities of the Pale, even though the non-Jewish element is much greater in the field of commerce on a larger scale. Not only is the entire commercial class, which, with the children and dependents, numbers almost 2,000,000, far from being economically homogeneous, but within this class an antagonism between the employer and the employee has developed which, though perhaps not so acute, is more extensive than the correspond-

^a See *V Cherte Evreiskoy Osedlosti* (Within the Jewish Pale), by A. P. Subbotin. St. Petersburg, 1888. Vol. II, p. 218.

ing conflict between the manufacturer and his wageworkers. With the extremely low profit rate and the usually high rent (a result of commercial competition), the profits of the more prosperous merchants in the Pale are derived from two sources, an unusually rapid turning over of the capital and the low expenses of business management, both factors meaning hard work and small pay for the commercial employees.

Unfortunately the basis of the occupation statistics of the Russian census of 1897 has been the nature of the establishment and not the technical or economic quality of the work. It is therefore impossible to tell how many of the 452,193 Jews reported as employed in commerce were salesmen or other employees of the merchants and not independent tradesmen. But the number is undoubtedly large, probably as large as the number of Jewish factory employees.

Until recently the conditions of work of these commercial employees were more onerous than those connected with work in the factories. The small Jewish retail dealer knows no limitations of his working day, the anxiety to find the buyer being so great that the small stores are kept open from 6 or 7 o'clock in the morning till 12 o'clock at night. Until a short time ago this was also the rule in the larger stores, where, besides the members of the family, additional help is employed. Under the influence of the examples of the many successful strikes of the factory and small-shop workers, the commercial employees became restive; but until the end of the last century they had no hope of active resistance, since the abundance of unemployed labor in the market naturally increased the competition in the Pale for even the poorest paid positions. Nevertheless the principle of collective bargaining which the Bund organizations preached with such energy appealed to them as well as to the factory workers. In many cities the initiative of the strikes among the commercial employees came from the labor organizations, while in other cities the salesmen and clerks sought from the more experienced organizations advice and help.

The following detailed account of the salesmen's strike in Kishinev, typical in many respects of the whole, will best characterize the movement:^(a)

Kishenev, June 25, O. S.—Under influence of salesmen's strikes in various cities considerable excitement began to manifest itself among our salesmen. A few salesmen made efforts to organize professional salesmen's unions, but we began to appear at their meetings and imbue them with the social democratic spirit. Within seven or eight weeks as many as 60 meetings were called, the attendance at which varied from 10 to 100 men. * * * These meetings caused the development among the salesmen of a very energetic militant spirit. * * *

^a Letzte Nachrichten, No. 244, August 5, 1905.

It was originally intended to call a strike for the beginning of August, when the season begins, but the salesmen themselves hurried us with the declaration of the strike, pointing to the excited condition of the mass of their comrades. * * * It was, therefore, decided to declare the strike immediately. The following demands were formulated:

1. The labor day shall be, April 1 to September 1, from 7 a. m. to 7 p. m., and September 1 to April 1, from 8 a. m. to 8 p. m.
2. The time from 1 to 3 p. m. shall be allowed for dinner, the stores to be closed during the dinner recess.
3. No work from the beginning of a holiday till the next morning after the holiday.^(a)
4. Annual leave of four weeks with pay.
5. Increase of pay.
6. Double monthly salary before the Passover and Succoth [the two most important Jewish holidays].
7. Pay during sickness: In full during the first three months, and half pay during the following three months, the employee to be reinstated after recovery.
8. Payment of the salary on the 1st and the 15th of every month, in advance.
9. The employer must notify his employee of intended dismissal: Those who have been in service less than three years, three months in advance; those having been in service from three to eight years, six months in advance; those having been in service from eight to fifteen years, nine months in advance; and those having been in service more than fifteen years, an entire year in advance.
10. Polite treatment of the employees.
11. The employees shall not be forced to draw customers.
12. The salesmen shall be obliged to perform only those duties which are directly connected with commerce.
13. The right to sit and read when not employed.
14. The salesmen shall not be obliged to deliver purchases to the homes of the customers.
15. The stores shall be heated.
16. The salesmen shall be provided with tea twice a day.
17. The wives of the employers shall not be permitted to interfere in the adjustments of the relations between the employers and employees.
18. Apprentices shall receive a salary of not less than 3 rubles [\$1.55] per month during the first half year of their service, and not less than 6 rubles [\$3.09] per month during the second half year of their service.
19. All conflicts between employers and employees shall be adjusted by means of special commissions.
20. Dismissals shall not be made without good cause.
21. All strikers shall be taken back into their old positions.
22. No dismissals shall be made until six months after the end of the strike.
23. The time of the strike shall be paid for.

^a The Jewish holiday begins in the evening, at the time of the setting of the sun and ends also at the setting of the sun; it is customary, therefore, for the small merchants to reopen their stores for the evening after the holiday.

24. Strike breakers shall be dismissed.

As a matter of course, political demands were also made, the significance of which was explained to the strikers. During the last few days before the beginning of the strikes special meetings were called at which the necessary advice was given as to how to present the demands, how to act during the strike, and so forth. On the 18th of June representatives of almost all the stores were called together and they were given circulars, containing the demands, for distribution among the strikers. At the hours appointed the stores began to close one after the other, and the salesmen and clerks gathered on the street. At the invitation of the non-Jewish workmen, who are in sympathy with our organization, the stores of the Christians began to close up also.

That a general strike of the salesmen was in preparation could not long remain a secret—everybody in the town knew about it. Of course, the administration did not fail to take its usual measures. It increased its normal complement of police, called in troops, etc. * * * The assistant chief of the police personally visited the stores and asked the Christian salesmen not to join the "sheenies," for the "sheenies" organize strikes only out of love for riots, etc. Nevertheless, all stores closed that very day. The following day pickets were placed by us on all streets, whose duty it was to see that no salesmen returned to the stores. In several places it was found necessary to "take off" the strikers several times.

The city looked like a military camp. Patrols with loaded arms were to be found on all corners. Mounted police rode on the streets. The employers soon applied to the police for assistance. Arrests began. * * * These arrests could not but have considerable influence over the course of the strikes. A considerable portion of the salesmen who were less imbued with the consciousness of their interests was easily frightened. Other circumstances influenced the success of the strikes. On Sunday the Christian salesmen, whose affiliation with our organization was not very strong, returned to work. What was still worse, the employees of the ironware stores also returned to work. This became generally known, and many others began to contemplate returning to their offices. Nevertheless, the majority of stores remained closed on Sunday, and in most of those that were opened there were no salesmen except the employers themselves. Monday morning the employees of several stores of dress goods returned to work. The salesmen of other stores, especially of the dry-goods stores, kept up better, but it was generally felt that the strike was losing its spirit. The arrests continued. The strike lasted three or four days more, when negotiations began with many individual storekeepers. Monday morning one dry-goods store with over 60 employees satisfied almost all demands of the strikers; other stores made various concessions, some more, some less. In general it may be said that the strikers obtained the 12-hour day, while previous to that the salesmen worked at least $13\frac{1}{2}$ or 14 hours, and sometimes as many as 18 hours per day. They obtained 1 to $1\frac{1}{2}$ hours' recess for dinner, and in the larger stores the right of a 2-weeks' vacation with pay, and many other minor concessions.

In many respects the description of this strike is characteristic, if one remembers that it is written by an interested party. The many

varied and, from a practical point of view, extravagant demands show that the object of the strike is not so much actual reform as the resulting political and economic agitation. It is, therefore, difficult to judge how far the strike was successful, for it is doubtful if the majority of the demands were made with a hope of their possible realization. It also shows how peculiar the position of the commercial employees is in a great many respects, in that it is necessary to fight against the performance of menial duties and against the interference of the wife of the employer in the treatment of the salesmen.

The history of most other strikes is similar to that just given. During the month of March, 1905, a strike of over 2,000 salesmen and other commercial employees was started by the Bund in Minsk. The demands formulated were as follows:

1. A 12-hour labor day (from 9 a. m. to 9 p. m.).
2. One-half hour interval for luncheon and one and one-half hour interval for dinner.
3. Closing of the stores on Saturday nights.
4. Weekly payment of wages.
5. Double wages four times a year, before the four chief Jewish holidays.
6. Polite treatment of all the employees.
7. The salesmen shall not be forced to perform menial duties.
8. The messengers shall not be obliged to carry heavy bundles.
9. Wages shall be paid for the entire time of the strike.
10. None of the strikers shall be discharged for participation in the strike.

The strike lasted ten days and ended with an almost complete victory for the strikers. All the demands were granted except demand 5; and in regard to demand 3, it was decided that during the four summer months the stores would not open on Saturday nights, while during the rest of the year the salesmen should be free on alternate Saturdays. This decision was reached at a combined meeting of the representatives of both parties to the struggle.

Similar strikes, more or less successful, have taken place in most of the larger cities of the Pale, with the result that at present a twelve-hour day, with one or two recesses, which bring the actual working day to ten hours, is the normal day of the commercial employee. These results have not been obtained in the many smaller towns and villages; but the number of commercial employees in these towns, in view of the petty nature of trade, is probably insignificant. The wages of the ordinary salesman or clerk are from an American point of view very small, 10 rubles (\$5.15) a week being a fair compensation, while often as low as 5 or even 3 rubles (\$2.58 or \$1.55) a week are paid. It is probable, however, that the conditions of life of the majority of the commercial employees are better than are those of

the mass of the petty traders described on a preceding page. These successful strikes have served to increase the strength and influence of the Bund among other social classes than the industrial workers.

PROFESSIONAL SERVICE.

The striving of the Russian Jew for a professional career has so well asserted itself during the comparatively short period of his life in the United States that it is surprising to find in Russia a very small percentage of the Jews in the professions, especially in view of the fact that all the universities in that country are state institutions, the tuition fee being small, and the great majority of the professional students coming from the poorer part of the city population. Altogether the number of Jews in the professions is 57,847 (not including the 14,103 persons who serve around churches, etc., given for comparative purposes in the tables of occupations), or a little more than 4 per cent of the Jews in gainful occupations. Even this number is to a great extent made up of an army of Hebrew teachers, consisting mostly of persons without any special training, who have failed in all other occupations and eke out a more miserable existence than even the average tailor or shoemaker. If the 35,273 persons constituting this army be disregarded, there is a remainder of only 22,574 in all the other professions—law, medicine, the ministry, government service, and service in public institutions.

The real cause of this seeming aversion of the Jew in Russia to a professional career, like so many features of Russian Jewish life, must be sought in the legal conditions of his existence. The relation of the Russian State to this problem, like its relation to the problem of Jewish agriculture, has undergone many changes. The practice of a profession usually requires a thorough special preparatory education. In the first half of the last century it was the avowed object of the Russian Government to attract the Jews into the higher schools of learning, that being rightly considered the best method to break up Jewish exclusiveness and help along the natural assimilation of the Jewish race. For many years this plan met with but moderate success, the older and more conservative Jews considering the Christian schools as institutions destructive of the Jewish religion and traditions, especially since the entering into those schools usually led of necessity to infringement upon the strict Jewish Sabbath and dietary laws. The pioneers of the younger generation, on going into the secular schools, had to meet the strenuous opposition of the other members of their families and often were forced to break family ties entirely.

Gradually, however, these prejudices gave way. But simultaneously with this change of feeling the attitude of the Government toward the problem of education of the Jews also changed. In the

beginning of the eighties the proportion of Jews to be admitted to some schools was limited to a certain percentage of the students admitted. The growing number of Jewish students in the "gymnasiums" (high schools) and universities began to be looked upon with alarm. It was pointed out by opponents that the proportion of Jews was growing to be larger in the schools than in the population at large. The fact was disregarded that while constituting about 10 to 12 per cent of the population of the Pale, the Jews made up almost one-half of the population of the cities, which alone could be expected to furnish students of secondary and higher institutions of learning.

In the summer of 1887 the minister of instruction was empowered to limit the number of Jewish students to be admitted into the secondary institutions of learning. This limit was defined as 10 per cent for the institutions located within the Pale, 5 per cent in the remaining cities, and only 3 per cent in the two capital cities of Moscow and St. Petersburg. The measure was justified as necessary to maintain a more "normal proportion between the number of Jewish and Christian students." The result of this was that the classes in many classical and technical high schools remained half empty, for in the cities where the Jews constituted from 50 to 75 per cent of the population only 10 per cent of the high school boys could be of Jewish faith.

A full high school diploma is required to gain entrance to the university, yet it was found that many more Jewish than Christian boys were clamoring for admission. Besides, the effect of this limitation in regard to entrance into high schools could affect the university only in eight years, the course in the gymnasium lasting that long. The rule was therefore extended to the universities and other higher institutions of learning as well. The temporary rules have been enforced now for almost twenty years, but the number of Jewish applications for admission to the universities is still considerably larger than the number of vacancies provided for them, and hundreds of young men who can afford it, and a great many who really can not, throng the universities of Germany, Switzerland, France, Austria-Hungary, and even the United States and Italy. Only a small minority can avail itself of such an expedient.

The granting of so-called autonomy to Russian universities in September, 1905, raised the hope that the restrictions in regard to the admission of Jews to the schools, at least so far as the universities are concerned, would be abolished. As a matter of fact, in the fall of 1905 and 1906 some universities and technical schools disregarded all restrictions as established by the rules of 1887. The practice, however, was not universal. With the establishment of more normal conditions the question came up again. Recently the minister of public instruction has insisted upon the enforcement of the

rules as they existed before autonomy was granted. In some institutions the old rules have therefore been applied in their entirety, in others the number of Jewish students admitted was above this legal limit. The ministry of public instruction permitted this accomplished infraction of the rules to stand, while insisting that such exceptions shall not be granted in the future. The situation therefore at present is about the same as it was before autonomy was granted.

More direct difficulties stand in the way of the Jews who try to enter the legal profession. While the admission of applicants to the bar according to the law depends upon local courts, since 1889 further admission to the bar of Jewish counselors at law is conditional upon a special permit of the minister of justice in each case.

As in the case of the limitation of the right of entering colleges, these restrictions were defended on the ground of the abnormal increase of the number of Jews in the professional schools of the universities. The practical Jew, it was said, did not care for higher education as such, but only for the lucrative profession to which a college education led. The extremely limited number of Jewish students in the purely scientific departments of the universities was claimed to prove this assertion. It should be said that very few can afford a purely scientific course in view of the fact that very few positions in the Government service are open to the Jews. The highly centralized system of Russian Government and the enormous administrative machine of Russia necessitate an army of Government employees, and Government service has always been the most popular profession of the educated classes in Russia. Besides, almost all the educational institutions are either governmental institutions or under Government supervision, and teaching in universities, colleges, and secondary, and even public schools is included under Government employment. Therefore not only an official but also a scientific or pedagogical career is out of the reach of the Jew in Russia.

Government employ has not been open to the Jews since 1828, but in the sixties some exceptions were made for Jews who received a medical education, the right of service in the medical department of the army having been given to them. Since 1882 the number of Jewish physicians and surgeons to be employed by the department has been limited to 5 per cent. While the law is not clear in regard to the teaching profession, there are no Jewish professors in the Russian universities, only a few docents, and no teachers in high schools and primary public schools for Christian pupils. Jewish teachers practice their profession only in special schools for Jews or in a few private institutions of learning.

It is customary in Russia to make a distinction between "Government service," i. e., service in the employ of the central Government, and "public service," i. e., service in local elective bodies or

in the employ of the organs of local self-government, the "zemstvos," or the municipalities, etc. These latter institutions of self-government are also under the supervision of the central government, and the rights of the Jews in the domain of the public service are considerably curtailed. About the only important branch of public service in which Jews may receive appointments is the medical branch. The "zemstvos" (local self-government of the provinces and counties) employ a large number of physicians, druggists, nurses, and midwives to give gratuitous medical attendance to the peasants, and in this line of work persons of Jewish faith sometimes obtain appointments. These appointments are made by the zemstvos, but require the approval of the governors.

With so few opportunities in these avenues of employment, private practice of law and medicine remains almost the only field in which the educated Russian Jew may try his fortune. The result is an overcrowding of the professions, which is strongly felt in the towns of the Pale, where the general poverty of the masses reacts upon the earnings of the professional classes. Many graduate lawyers are forced to remain bank clerks at 10 rubles (\$5.15) per week, and it is not unusual for physicians to receive only 30 to 40 kopecks (15 or 21 cents) for a visit at the patient's house. That the earnings of a practicing physician are not large is shown by the anxiety of the Jewish physicians to obtain the "zemstvo" positions spoken of above, which pay only 1,000 to 1,200 rubles (\$515 to \$618) a year. The graduates of the other schools usually make use of the right of living in the large cities outside of the Pale, and devote themselves to literature and journalism, the material returns being very moderate indeed. Cases of official change of religion are more frequent in Russia among professional persons and graduates of universities than among other classes of Jews, not only because the old bonds of religion are weakened but also because the material advantages to be obtained are greater.

PAUPERISM AND CHARITY.

PAUPERISM.

The insecurity of the earnings of the independent artisans, the low wages of the factory and small-shop employees, the petty business profits of the merchants and the extreme difficulty of finding employment after it is once lost, have all been indicated in the preceding pages, yet observers of the life in Jewish towns state that there are few professional paupers in comparison with the Russian towns, and that the paupers seen are usually either old and decrepit persons or children, that is, people who are unable to make a living.^(a)

^a See V Cherte Evreiskoy Osedlosti (In the Jewish Pale), by A. P. Subbotin. St. Petersburg, 1888, Vol. I, p. 134.

Even if the number of professional paupers, or persons who exist exclusively by private or public charity, is not so great among the Jews in Russia as one might expect, especially in view of the fact that professional pauperism is tolerated in that country, the number of the poor is extremely large, even interpreting the term "poor" in its narrower sense. In the broader sense of a person with an insufficient income, a person unable to make any savings and forced to live from hand to mouth, probably 90 per cent of the Russian Jews are poor. Robert Hunter says:

Poverty is a much broader term than pauperism. Those who are in poverty may be able to get a bare sustenance, but they are not able to obtain those necessities which will permit them to maintain a state of physical efficiency.

Even this definition is perhaps somewhat too broad for our purpose. The poor as described therein are those persons who do not need to apply to charity, yet there are among the Jews in Russia a multitude of persons who occupy a middle ground. Not paupers "who depend upon public or private charity for sustenance" all the time, but persons who are not able to meet all the extraordinary expenses of the daily life, and who are therefore at intervals forced to apply, hateful as it may be to their feeling of self-respect, to public or private charity. Such extraordinary emergencies occur in the life of a poor Jewish family with distressing regularity, due to a peculiar cause, the religious holidays.

The Jewish holidays are not many, but they have an importance and holiness which, for the orthodox Jew, at least, make their fitting celebration an absolute law. These obligatory celebrations mean comparatively large expenditures of money, which a considerable number of the Jews are unable to meet, and it is then that the greatest amount of assistance is both given and received. It is noteworthy that so well is the exceptional nature of the occasion understood that the complaint has never been made that this form of charity leads to idleness and pauperism, or to destruction of self-respect. Some such principle guides one form of charity in the United States, namely, the Christmas dinners organized for the poor by various charitable organizations, notably the Salvation Army. But those dinners are admittedly for the benefit of the very poor, and consist in the direct administration of food in a fashion scarcely acceptable to the self-respecting poor, while in Russia a slight contribution of a few rubles to a family so as to enable it to celebrate in fitting fashion the holy days is considered more in the nature of a religious duty than a charitable act.

Even the ordinary "Shabees" (Sabbath) is a serious function with the orthodox. It demands not only absolute rest, but various observances in the way of special food, etc. The whole thought of the poor

Jew, and especially of the Jewish woman, during the week is directed to so manage as to be able to comply with the Sabbath requirements in a manner befitting a good Jew. That requires at least the regulation white bread, the fish, etc.; and the success of the week's work is judged by the ability to observe the Sabbath in the proper way. Then there is the Passover week, which is the only holiday to be compared in holiness to the Sabbath, and this period is a great deal more exacting than an ordinary Sabbath, so far as expenditure is concerned. It demands not only several days of interruption in work, but also many special dishes, the preparation of which is costly. Moreover, the demands of the Passover are absolutely peremptory. The religious law not only enjoins the eating of certain things during this week, but absolutely prohibits the eating of ordinary bread. There are other demands no less difficult of observance by the poorer Jews. In fact, the Jewish family that lives from hand to mouth often finds itself facing the approaching Passover absolutely unable to meet it according to the commands of the Hebraic law, and consequently in danger of committing a serious sin. Assistance of Jewish families during this season is the most common form of charitable work. At that time the Jewish people may truly be said to be divided into givers and receivers.

The data in regard to assistance distributed at that critical period are, therefore, the fullest possible measure of distress, the number immediately rising with every general fall in the prosperity of the people. The data were collected by the Jewish Colonization Society in its report, but the serious mistake was committed of broadly defining as paupers the entire number of people who applied for this kind of relief, of whom many often did not apply at all but customarily received some small sum.

Taken in this limited sense, as a measure of general distress but not of direct pauperism, the number of families receiving help for the Passover is nevertheless very significant. Information was obtained from more than 1,200 localities, containing over 700,000 families, and the families assisted reached the enormous number of 132,855, or almost 19 per cent. The proportion of families receiving assistance varied greatly as between different provinces, most of the Polish provinces showing a percentage as low as 14, while the three provinces of Lithuania give a percentage of 22. This agrees with the general observation, frequently emphasized in this article, that the Jews in Lithuania are probably lower in the economic scale than the Jews of any other part of the Pale, because the congestion of Jews is greatest there. Still more significant is the fact that the number of families assisted is rapidly growing. From many localities comparative data for several years have been obtained which conclusively show this rapid increase. By adding the data for all the localities

for which information has been obtained it is found that within the short period of five years the number of families assisted had increased from 85,183 in 1894 to 108,922 families in 1898, an increase of 27.9 per cent. The amount of assistance given is usually small, sometimes falling as low as 75 copecks (39 cents), and, where the distribution of funds takes place through some organized agency, seldom exceeding 3 rubles (\$1.55), a contribution which is not sufficient to put the recipients into the category of paupers.

Since this group of persons needing some assistance almost equals one-fifth of the total Jewish population of the Pale, all occupation groups have their representatives among them. An investigation in Odessa showed that the unskilled laborers were the most numerous recipients of this charity, but there was also a large number of artisans, such as tailors and shoemakers, as well as many persons who gained a precarious living from retail trade, peddlers, push-cart men and women.

CHARITABLE INSTITUTIONS.

The foregoing remarks refer to what might be called normal conditions, such as existed before the present anti-Jewish sentiment manifested itself.

The assistance by means of a small payment before the Passover being the most frequent form of charitable work serves best as a measure of the extent of the need for charity, but it by no means represents all of the charitable work needed or given in the Pale. On the contrary, the charitable institutions are numerous and varied.

It is well known that when two hundred and fifty years ago the first Jews applied for permission to come into North America, namely, into New Amsterdam, they were granted the permission under the condition that they care for their own poor—a condition they have faithfully kept. It was scarcely necessary to exact that condition, for the care of the poor is a characteristic feature of the Jewish people. Though the Russian Jews were an integral part of the population of the region in which they lived long before the time they came under the domination of the Russian Government, the Russian code of laws contains a similar provision in regard to the Jews and their poor.

This demand could have been made only because of the special Jewish communal organizations which exist in the towns of the Pale, and which are not only recognized by law but intrusted with certain powers and duties, the most important of which, from an economic point of view, being the collection of taxes. A series of special taxes, direct as well as indirect, have been established (the principal one being the tax on meat) for the purpose of supplying the community with means to do charitable work, support schools, hospitals, etc. The amount and the objects of the tax, in addition to the indirect

tax on meat, are determined by the community under the supervision and with the approval of the authorities, but the tax is not collected directly by the community; it is rented out at auction, also with the approval of the administration. The tax, therefore, must bring an income, not only to the community but also to the lessor. Moreover, the actual distribution of the sums collected is not intrusted to the Jewish community, but to the local authorities. The budget must be approved by the governor of the province. Unnecessary economy in the distribution of the funds usually results and large sums are transferred to the public treasury, after which an application for these funds to be used for charitable enterprises must have the approval of the ministry of finance.

The income from these special taxes, nevertheless, remains a very important item of the budgets of the various charitable institutions, but no less important are the private contributions and those of the various nonofficial charitable organizations.

The following statement shows the number of each of the most common types of charitable organization known among the Jews in Russia:

Societies for general relief.....	290
Hospitals and dispensaries.....	112
Committees for the care of the sick.....	665
Homes for the old and the infirm.....	126
Lodging houses and houses of refuge for strangers	180
Societies for noninterest-bearing loans.....	350
Societies for distribution of food.....	500
Societies for distribution of clothing.....	72
Societies for assisting poor brides.....	51
Total.....	2,346

The variety and number of relief societies is characteristic not only of the great need for them but also of the charitable traditions of the Jews.

The divers functions of these charitable organizations are of special interest to the American, because many similar organizations, though usually on a much larger scale than in Russia, have been established in the United States by the Jewish immigrants, who thus introduce types of relief little known to the American charity worker. It is well, therefore, to begin with the description of these specialized institutions.

Perhaps the most important from an economic point of view are the institutions for gratuitous credit. The high cost of credit in the Pale is a serious cause of distress, since the smallest loan may often lead a self-supporting family to financial ruin. It may not be difficult for the petty trader or the artisan to obtain a small loan, but the conditions are usually onerous. The money lender charges exorbitant

interest, which may reach 20, 30, or even 60 per cent. The following is a typical case:

An artisan borrows 50 rubles (\$25.75), with an agreement to pay up in weekly installments of 1 ruble (51.5 cents) per week; but the interest, amounting to 12 rubles (\$6.18), is deducted from the loan at the time it is made, only 38 rubles (\$19.57) being actually received by the borrower, and under the plan of paying the loan in weekly installments, covering principal and interest, the rate of interest amounts to about 59 per cent per annum.

In 1895, by a special law, the formation of small societies for mutual credit was facilitated, and by 1902 there were within the Pale 50 societies of that nature, in which the Jews constituted the predominating element. But since that year the authorities have demanded that two-thirds of the board of directors of all such new societies shall consist of Christian men and that the chairman shall be a Christian. These limitations have effectively stopped the increase in the number of Jewish credit societies of the mutual kind, and have emphasized the necessity for the charitable institutions.

It is characteristic that of the 350 loan societies 205, or 58.6 per cent, are found in northwestern Russia, not only because the need for them is greater there, but because the communal feeling and social activity is much greater in that region.

The revenues, and therefore the range of activity, of these societies are very small. Of 253 organizations for which the amount of capital was given 77 had less than 100 rubles (\$51.50) each, 112 had from 100 to 500 rubles (\$51.50 to \$257.50) each, 38 had from 500 to 1,000 rubles (\$257.50 to \$515) each, and only 26 had over 1,000 rubles (\$515) each. The resources being so limited, the loans range from 3 to 15 rubles (\$1.55 to \$7.73), and seldom exceed 25 rubles (\$12.88). Yet, in its conception, it is a useful method of granting relief. Several large organizations of this kind exist in New York City. Some of these societies require security in the shape of valuables, others require the guaranty of some well-to-do person, but the rule is not to charge any interest for the loan. The most significant feature of these organizations is that they are not established by the private munificence of some one person, but by means of small contributions from almost all the members of the local Jewish community, the contributions sometimes being not greater than 25 kopecks (13 cents) per annum.

There is nothing especially interesting to be said in regard to the 112 Jewish hospitals existing in the Jewish cities of the Pale. Besides the general insufficiency of hospital facilities in Russian towns, there is the important consideration of the religious dietary laws, which make separate Jewish hospitals necessary. There are a few hospitals endowed by private charity, but most of these institutions

are supported out of the special taxes spoken of above. Most of the large hospitals are located in the South and Southwest, and while northwestern Russia has a greater share of all other charitable institutions, it has only a few hospitals. A hospital is an establishment that annually requires a large sum of money for its support, and few northwestern towns can afford to make the necessary outlay.

The lack of hospitals in the Northwest is partly compensated by numerous societies for the care of the sick at their homes. Out of a total of 665 such societies 349 are located in the northwestern, 143 in the southern and the southwestern, and 173 in the Polish provinces. The functions of these circles are varied, ranging from financial assistance and hiring of medical help to actual care of the sick by members of the circle. The budget of such a circle seldom exceeds 500 rubles (\$257.50) each year.

The organizations for furnishing food to the needy at a nominal compensation, or absolutely free, are not many and exist mainly in the larger cities. Thus, the dining room for the poor in Vilna distributes during the year about 200,000 dinners, at the average cost to itself of 8 or 9 kopecks (4.1 or 4.6 cents), while the price charged is 3 or 5 kopecks (1.5 or 2.6 cents). This is the result of an effort to substitute organized assistance for the traditional custom of having some poor person at one's table, a custom that is still observed in the smaller towns, and is a form of charity specially popular during the most important holidays, when one or two poor persons are to be seen at the tables of the richest men of the town each Saturday, if not every day. The poor scholars of the "kheders" and of the "eshiboths" (institutions for higher instruction in the Hebrew language and Jewish theology) are the most frequent recipients of this primitive form of charity, but the practice is rapidly dying out. It was customary for such poor students to make their way through the school by boarding at seven places, one day a week at each place. Another form of charity, which is rapidly vanishing, is the assistance to poor brides. This consists in small subsidies, sometimes limited to 5 rubles (\$2.58) for the purchase of the most necessary household utensils. Since marriage is strongly urged on each and every Jewish youth and maiden, it is considered a holy act to assist poor girls to its consummation.

The more primitive charitable institutions are centered around the local synagogue, because charitable activity has among all nations found its inception in the religious feeling, but the more modern organizations are managed by special boards and committees, and are frequently incorporated. But no matter how the organization is effected; practically each Jewish family, unless it be itself a recipient of charity, contributes to some charitable purpose, even if it be

only 2 copecks (1 cent) a week, this sum not infrequently being the regular dues in some of the societies of the smaller towns. Even a superficial acquaintance with the life of the Russian Jews in the large American cities shows the same tendencies to mutual help and self-help to a marked degree, the desire to take care of its own poor and sick being still strong in the Jewish race.

EDUCATIONAL OPPORTUNITIES.

The economic importance of popular education is so well recognized that no apology is necessary for introducing the subject of education in a study of economic conditions.

The degree of literacy may be considered a fair measure of the educational standing of a people. It is therefore proper to begin the study of education of the Russian Jews by quoting the available data of the degree of literacy among them.

According to the Russian census of 1897 there were in a population of 125,640,021 persons, 26,569,585 literate persons, or 21.1 per cent. The number of males who could read and write was 18,318,812 out of a total of 62,477,348, or 29.3 per cent, while the number of literate females was 8,250,773 out of 63,162,673, or 13.1 per cent. Thus the degree of Russian illiteracy is not so great as frequent assertions in the press would make it appear, for one often sees the statement that more than 90 per cent of the Russian people can neither read nor write. Moreover, the proportion stated above does not take into consideration the large number of children of tender age, who should certainly be excluded in calculating the percentage of illiteracy.

But the point which must be emphasized here is that the proportion of illiterate persons of Jewish faith is much smaller. Of 5,215,805 persons of Jewish faith there were 2,031,497 literate persons, or 39 per cent, which gives a per cent of literacy almost double that of the total population of Russia. Of 2,547,144 males, 1,259,248, or 49.4 per cent, were literate, while of 2,668,661 females, 772,249, or only 29 per cent, could read. Thus the proportionate literacy of the Jews is about twice as high as that of the entire Russian nation.

A better idea of the degree of literacy and illiteracy among the Jews, in comparison to the entire population of the Russian Empire, may be obtained by means of a table giving the number and per cent of persons able to read, by age groups. These data are presented in the table following. Unfortunately the basis for this table in the reports of the Russian census is not religion, but nationality as determined by the mother tongue. As a result about two hundred thousand Jews of the higher, more educated classes, who claimed

Russian as their mother tongue, have been excluded, which undoubtedly reduces the actual percentage of Jewish persons able to read.

LITERACY OF THE TOTAL RUSSIAN POPULATION AND OF THE JEWISH POPULATION IN EACH SPECIFIED AGE GROUP, BY SEX, 1897.

[From Premier Recensement Général de la Population de l'Empire de Russie, 1897.]

Age group.	All Russia.			Jews.		
	Total population.	Literates.		Total.	Literates.	
		Number.	Per cent of total population.		Number.	Per cent of total Jews.
MALES.						
Under 1 year.....	2, 155, 199	.....	.....	82, 607	.....	.....
1 to 9 years.....	14, 975, 808	789, 489	5.3	637, 496	77, 781	12.2
10 to 19 years.....	13, 094, 402	5, 955, 693	45.5	563, 622	336, 863	59.8
20 to 29 years.....	10, 145, 066	4, 552, 412	44.9	414, 791	294, 365	71.0
30 to 39 years.....	7, 893, 941	3, 118, 509	39.5	284, 037	198, 413	69.9
40 to 49 years.....	5, 873, 596	1, 950, 533	33.2	196, 560	132, 620	67.5
50 to 59 years.....	4, 110, 800	1, 087, 720	26.5	148, 672	91, 555	61.6
60 years or over.....	4, 202, 616	858, 322	20.2	142, 684	77, 452	54.3
Age unknown.....	25, 920	6, 134	23.7	926	442	47.7
Total.....	62, 477, 348	18, 318, 812	29.3	2, 471, 395	1, 209, 491	48.9
10 years of age or over.....	45, 346, 341	17, 529, 323	38.7	1, 751, 292	1, 131, 710	64.6
FEMALES.						
Under 1 year.....	2, 136, 542	.....	.....	79, 270	.....	.....
1 to 9 years.....	15, 071, 969	461, 097	3.1	639, 006	44, 222	6.9
10 to 19 years.....	13, 359, 380	2, 915, 494	21.8	646, 552	282, 590	43.7
20 to 29 years.....	10, 215, 904	1, 995, 914	19.5	429, 693	195, 953	45.6
30 to 39 years.....	7, 912, 107	1, 245, 535	15.7	294, 282	100, 458	34.1
40 to 49 years.....	5, 832, 868	735, 910	12.6	214, 246	55, 013	25.7
50 to 59 years.....	4, 210, 657	465, 619	11.1	159, 283	32, 029	20.1
60 years or over.....	4, 398, 724	428, 056	9.7	128, 588	19, 182	14.9
Age unknown.....	24, 522	3, 158	12.9	841	219	26.0
Total.....	63, 162, 673	8, 250, 773	13.1	2, 591, 761	729, 666	28.2
10 years of age or over.....	45, 954, 162	7, 789, 676	17.0	1, 873, 485	685, 444	36.6
BOTH SEXES.						
Under 1 year.....	4, 291, 741	.....	.....	161, 877	.....	.....
1 to 9 years.....	30, 047, 777	1, 250, 586	4.1	1, 276, 502	122, 003	9.6
10 to 19 years.....	26, 453, 782	8, 871, 187	33.5	1, 210, 174	619, 453	51.2
20 to 29 years.....	20, 360, 970	6, 548, 326	32.2	844, 484	490, 318	58.1
30 to 39 years.....	15, 806, 048	4, 364, 044	27.6	578, 319	298, 871	51.7
40 to 49 years.....	11, 706, 464	2, 686, 443	22.9	410, 806	187, 633	45.7
50 to 59 years.....	8, 321, 457	1, 553, 339	18.7	307, 955	123, 584	40.1
60 years or over.....	8, 601, 340	1, 286, 378	15.0	271, 272	96, 634	35.6
Age unknown.....	50, 442	9, 292	18.4	1, 767	661	37.4
Total.....	125, 640, 021	26, 569, 585	21.1	5, 063, 156	1, 939, 157	38.3
10 years of age or over.....	91, 300, 503	25, 318, 999	27.7	3, 624, 777	1, 817, 154	50.1

The following deductions may be made from the above table:
 Of those over 10 years of age the illiteracy among the Jews is considerably smaller than for the total population of the Russian Empire; it being 72.3 per cent for the entire country, and only 49.9 per cent for the Jews. For the male population over 10 years of age the comparative figures of illiteracy are: For the total 61.3 per cent, and for the Jews only 35.4 per cent. For the female population over 10 years of age the data of illiteracy are: For the total 83 per cent, and for the Jews 63.4 per cent.

When, however, the table is examined carefully it is found, both for the total population and for the Jews, that the lower the age of the class the higher is the percentage of literacy. This indicates an improving condition in Russia. The rise is more noticeable in the case of the total population, which seems to indicate that within recent years the cause of education has received greater stimulus among the Russian population than among the Jews.

Some slight rise is noticed also among the Jews, especially among women, the education of the latter being comparatively an innovation. Nevertheless, it is worthy of notice that the highest age group among the Jews has a larger percentage of people able to read than the most educated total age group, there being proportionately more literate Jews over 60 years old than literate Russian population of the age of 10 to 19 years. In other words, fifty years ago the educational standard of the Jews was higher than that of the Russian people at large is at present. This comparison is certainly very significant.

It must be added that the data are ten years old, and that the general rise of education must have further reduced the percentage of illiterates among the Jews and among other persons in Russia.

This comparatively high standard of education, achieved, as will be shown presently, without any system of State obligatory schools, is to a great extent due to the religious spirit of the Jews. The ability to read his prayers is as sacred to the Jew of the older generation as it was to the New Englander of the colonial times and had the same effect of stimulating education. It follows that the majority of the Jews first learn to read the Hebrew alphabet; and since the same alphabet is used for the so-called Yiddish (a German dialect, the colloquial language of the Jewish mass), therefore the Jew who can read his prayers has the ability to read and write in his spoken tongue.

The vast majority of the Jews, and especially the Jews in the cities of the Pale, where they constitute the majority of the population, speak this Yiddish, but the mingling with persons who speak other tongues forces upon the average Jew a knowledge of some other language. The enforced use of Russian in all Government institutions makes some knowledge of Russian almost a necessity, and so, nolens volens, a great number of the Jews derive what additional culture there is to be obtained from a knowledge of a second language. In the following table are presented the data in regard to the number and per cent of Jews of all the age groups who can read Russian.

NUMBER AND PER CENT OF JEWS IN EACH SPECIFIED AGE GROUP ABLE TO READ RUSSIAN, BY SEX, 1897.

[From Premier Recensement Général de la Population de l'Empire de Russie, 1897.]

Age group.	Males.			Females.			Both sexes.		
	Total.	Able to read Russian.		Total.	Able to read Russian.		Total.	Able to read Russian.	
		Number.	Per cent.		Number.	Per cent.		Number.	Per cent.
1 to 9 years.....	637,496	40,385	6.3	639,006	31,520	4.9	1,276,502	71,905	5.6
10 to 19 years.....	563,622	237,947	42.2	646,552	204,648	31.7	1,210,174	442,595	36.6
20 to 29 years.....	414,791	217,984	52.5	429,693	127,737	29.7	844,484	345,721	40.9
30 to 39 years.....	284,037	137,615	48.4	294,282	52,484	17.8	578,319	190,099	32.9
40 to 49 years.....	196,560	79,674	40.5	214,246	20,931	9.8	410,806	100,605	24.5
50 to 59 years.....	148,672	46,302	31.1	159,283	9,677	6.1	307,955	55,979	18.2
60 years or over.....	142,684	31,777	22.3	128,588	4,657	3.6	271,272	36,434	13.4
Age unknown.....	926	315	34.0	841	133	15.8	1,767	448	25.4
Total.....	2,388,788	791,999	33.2	2,512,491	451,787	17.9	4,901,279	1,243,786	25.4
10 years of age or over.	1,751,292	751,614	42.9	1,873,485	420,267	22.5	3,624,777	1,171,881	32.1

Thus it is found that more than two-fifths of the males 10 years of age or over, and almost one-fourth of the females of the same age group, are able to read Russian. This feature of education is comparatively new, since the figures show that the percentage is larger among the lower than among the higher age periods. The age period of from 20 to 29 is the most characteristic among the males, 52.5 per cent being able to read Russian, while among the females 10 to 19 is the age period that shows the greatest proportion, 31.7 per cent being able to read that language.

To appreciate these results achieved by the Jews of the Pale within a very short time it is necessary to know something of the educational system as it exists in Russia. A system of gratuitous education supplied to all by the Government is an institution comparatively new to Russia. High schools and universities were established by the Government long before there were any schools for the common people. The emancipation of the serfs in 1861 found the Russians an illiterate people. It was only after the Government had established the so-called "zemstvos" that an organized effort was made to introduce schools in the rural districts, and the granting of some measure of municipal self-government to the cities gave the first impetus to the city schools. No such institutions were granted to the western Provinces of the Pale, because the foreign population was not trusted with such rights; therefore the Jew in Russia has never enjoyed the benefits of a general gratuitous governmental system of education.

While this may be considered a passive infringement of the Jew's opportunity for an elementary education, there have existed and still exist many other restrictions of a more direct kind. The limitations, by percentages, of Jewish students admitted to universities and high schools have been pointed out in the section on professional

service. These restrictions exist even for private high schools, which are subject to governmental supervision in the same degree as governmental institutions.

To provide for the education of the Jewish children, who are thus almost debarred from the general schools, a few special Government schools are established, but these schools depend upon a limited fund and the number is very insufficient. The number of such schools at the end of the last century was determined to be 183, with an average of 113 pupils for each school. Two teachers' institutes for the preparation of Jewish teachers were established, but one of them was subsequently discontinued.

Without the benefits of a system of free education the Jews are forced to depend upon their own resources. Private schools and communal schools established and supported by charitable or other organizations have been opened in many places, the number of such schools with systematic courses being 637, so that the total number of schools in Russia for the Jews is 820.

But the number of schools in itself does not give a proper conception of the lack of educational facilities; much depends upon the size of the schools. The total number of pupils in these schools was determined to be about 50,000, and if the inevitable omissions are considered the number may be as great as 60,000; but if the number of children of school age be estimated at one-seventh of the total population (which is a very small proportion), it follows that out of more than 700,000 children less than 10 per cent enjoy the privilege of schooling in more or less organized schools, which, on the whole, have a course of studies lower in grade than that of a grammar school in the United States.

The Russian Jews owe their comparatively low degree of illiteracy to the peculiar Jewish institution called the "kheder," a denominational school the primary object of which is instruction in the Bible and in Jewish religion and learning. In practice this takes the form of instruction in the Hebrew language and in reading the Scriptures and the many commentaries. If the specific name of these schools has come to be used in the Russian language, it is because of the many peculiarities of their organization, which peculiarities have been preserved from time immemorial.

The "kheder" is a private school. The State interests itself little in the organization of these "kheders" beyond requiring that no person shall teach in them without a permit, and that he shall not teach anything but Jewish subjects. Practically no requirements of an educational nature are enforced. The profession of a "melamed," as a teacher in one of these "kheders" is called, has therefore become the refuge of men who have failed in other occupations. A "melamed"

organizes the school, and upon his energy and facilities depends the number of scholars that can be gathered into it.

An investigation conducted by the well-known Imperial Russian Free Economic Society in 1894 determined the number of "kheders" at 14,740, with 202,000 pupils, or an average of 13.7 pupils per "kheder." This gives an idea of the nature of the school. The Jewish Colonization Society collated data from 507 localities, with a Jewish population of 1,420,000, and found 7,145 "kheders," from which data it estimates the total number of existing "kheders" to be 24,000. Taking the average number of pupils to each "kheder" to be 13.7, these 24,000 "kheders" evidently contained about 329,000 pupils.

The investigation of the Russian Free Economic Society showed that in 1894, out of a total of 201,964 pupils registered in the 14,740 "kheders" reported, there were only 10,459 girls, or 5.2 per cent. It seems, then, that almost all the boys of school age attend a "kheder," while only a few girls do so. It is true that the religious element plays some part in this unequal distribution of the educational advantages, the church duties of the Jewish men being more important than those of the women. For the same reason the old-fashioned Jew of the Pale is readier to send his daughter than his son to a secular, Christian school. As has been shown above, the facilities for giving the Jewish child an education in the governmental schools are extremely limited, and while the percentage of illiteracy among the Jewish women is much higher than among the men, still the data in regard to the number of girls attending schools do not show where the 45 per cent of young Jewish women acquired an elementary education, and, what is still more surprising, where 35 to 40 per cent of them acquired a knowledge of Russian in addition to Yiddish.

The explanation lies probably in the peculiar zeal of the Jewish people for some education, for there is scarcely another race or social group which has succeeded in attaining such a high percentage of literacy without a public school system. The women and girls use every available means to learn to read and write. Private tutoring is very popular in Russia, and because of the general low standard of prosperity such tutoring has been made so inexpensive as to be within the means of even poor families, the average Jewish family being willing to sacrifice a great deal to obtain some education. Then, again, the male members of the family will share their education the best way they know how with their sisters. The very widespread tendency of the educated minority to organize secret classes for the instruction of adult working men and women in combination with secret socialist and other propaganda must not be disregarded, although no statistical accounting of the dimensions of this movement is possible. Yet there is evidence in the tables of the existence of this belated

education. It will be noticed that for the total population of Russia the age period of from 10 to 19 is the one that shows the highest percentage of people able to read, while among the Jews it is, on the contrary, the age period of from 20 to 29, and the difference between this age period and the one immediately preceding is 2 per cent among the females and as much as 11 per cent among the males. If the natural progress of educational facilities be taken into additional consideration, it follows that the percentage of persons acquiring the ability to read and write many years after the passing of the school period is even greater than the percentages given above indicate. The same tendency is noticed in the overcrowded night schools of New York City.

Still the "kheder" remains the most important educational institution of the Jewish Pale. In the absence of other and better facilities the "kheder" has an important function to fulfill. It does not follow that it does it in a satisfactory manner, the "melamed" having in the majority of cases neither the fitness nor the facilities for successful teaching. The methods are antiquated and the environments indescribably bad. The facilities of the schoolroom may be imagined, or at least guessed at, if one remembers that the tuition fees from 15 to 20 pupils are the only source of income of the "melamed;" and in view of the poverty of his clients these tuition fees can not amount to much. Yet, while the income of the "melamed" is small, the expense of education is a heavy burden to a poor family with several children of school age. For a half-year term the average tuition fees vary from 10 to 15 rubles (\$5.15 to \$7.73) for the younger pupils, and from 12 to 25 rubles (\$6.18 to \$12.88) for the older and more advanced pupils. The fees are usually higher in the large cities and lower in the small settlements, the average being about 25 rubles (\$12.88) a year in the former and 18 rubles (\$9.27) a year in the latter. Such fees scarcely provide the "melamed" with an income of 200 to 300 rubles (\$103 to \$154.50) a year, therefore the hiring of special premises for school purposes is out of the question, and the dwelling of the "melamed" is at the same time the school. Only in about 20 per cent of the schools investigated was a separate room specially provided in the house of the teacher. In the remaining 80 per cent the schoolroom was the living room of the teacher's family, which was at the same time the sleeping room, the kitchen, etc. The furnishings of a typical "kheder" are limited to a long table provided on both sides with plain wooden benches, so high that the children's feet hang down without touching the floor, because the teacher can not afford to provide the children of different ages with benches of different heights. Usually there is not even a back to lean on, and the children are forced to bend over the table through the long school day. The air in this improvised schoolroom has often been described as killing. During the winter months the

dearth of fuel necessitates keeping the windows closed, and the air is vitiated not only by the overcrowding of the room with pupils but also by the cooking of food.

All these objectionable features of the typical "kheder" are accentuated by the excessively long hours, almost as excessive as were the hours in the factory before the struggle of the Bund for a shorter workday began. The antiquated methods of instruction, together with the zeal of the parents that their son understand the intricacies of Bible exegesis at the time when the American boy has scarcely advanced beyond the second reader, encourage these long hours. The school day begins at 9 a. m. and ends at 5, sometimes at 6 or even at 8 p. m., so that the school day lasts anywhere from eight to eleven hours. Only in the larger cities, especially of the South, where the Jewish traditions are weakened and Jewish learning not held in such esteem, does the school day sometimes fall to seven hours. When the Jewish boy spends the entire day for many years, and practically without any vacation, in this atmosphere in the strenuous mental effort of disentangling the medieval intricacies of the commentators of the Bible, there is little wonder that he leaves the "kheder" an anæmic, emaciated youth, with physical powers much impaired.

The "talmud-thora" is a communal school, supported by the Jewish community, in which an effort is made to do away with the hygienic and educational imperfections of the "kheder" system. The Hebrew branches are given sufficient prominence to make the school satisfactory to the orthodox, while at the same time are introduced the Russian language and some general educational subjects. The "talmud-thora" is gradually growing into a national school for the Jews; but the number of these institutions is limited, because of their general expensiveness.

An improvement of the school facilities for the Jews in Russia will come only after the many restrictions are abolished and with substantial assistance from the Government funds.

The facts detailed in the foregoing pages indicate how deeply the lives of the Russian Jews have been influenced by the legal conditions under which they live. A study of these conditions and their economic results seems to be doubly important for a clear understanding of Russian Jewish immigration to this country; not only because these conditions shape the physical, psychological, and economic status of the immigrant, but also because they are of decisive influence in determining the very dimensions of the current of immigration from Western Russia to the United States.

RECENT REPORTS OF STATE BUREAUS OF LABOR STATISTICS. CALIFORNIA.

Twelfth Biennial Report of the Bureau of Labor Statistics of the State of California for the years 1905-1906. W. V. Stafford, Commissioner. 244 pp.

The following are the subjects considered in this report: Social statistics, 49 pages; Chinese and Japanese, 11 pages; condition of farm labor, 10 pages; wage statistics, 84 pages; factory inspection, 8 pages; child labor, 3 pages; employment offices, 4 pages; strikes and lockouts, 32 pages; rehabilitation of San Francisco, 7 pages; welfare work, 1 page; labor laws and court decisions, 21 pages.

SOCIAL STATISTICS.—Criminal statistics (misdemeanors, felonies, and juvenile crimes) and statistics of marriages and divorces for the year ending June 30, 1906, are embraced in this presentation.

CHINESE AND JAPANESE.—This chapter comprises an investigation into the condition of the Orientals in the State. The former biennial report (1903-1904) of the Bureau led to the conclusion that on October 1, 1904, there were upward of 20,000 Japanese and in the neighborhood of 40,000 Chinese resident in the State. Since that date, from the records of the steamship companies, exact figures of arrivals and departures are obtainable. During the two years ending September 30, 1906, the net increase in arrivals over departures of Japanese at the port of San Francisco was 13,658, while during the same period the departures of Chinese from the same port exceeded the arrivals by 7,748, thus showing a net decrease in the Chinese population to that extent.

Excluding agricultural labor, tables are given showing for the year 1906 wages per day, per week, and per month in various occupations of Chinese in San Francisco and Oakland and at points outside of those cities; also, similar data for Japanese in different sections of California.

In Fresno County and in the Pajaro and Vaca valleys, devoted extensively to fruit and vegetable growing, the Japanese have largely displaced the white labor and to a great extent that of the Chinese. More than half of the fruit orchards of Vaca Valley and adjoining foothills are said to be in the hands of Japanese lessees or owners,

and many of the vineyards about Fresno are leased or owned by Japanese.

CONDITION OF FARM LABOR.—Under this title the social, sanitary, and economic conditions surrounding white and oriental farm labor in different sections of the State are set forth. In two tables (the first for white male employees) are given, for the year 1906, the wages paid per day and per month without and with board for both permanent and temporary farm help, and (for oriental male employees) the wages paid per day and per month without board for both permanent and temporary farm help. The following summary statement respecting wages is reproduced:

Taking the entire State, there is very little difference between the amounts paid for temporary and for permanent employees, except in harvest time, when the wages are greatly increased. The wages can safely be put at \$1.25 per day and \$30 per month with board for white help the State over, and \$1.50 per day and \$45 per month for the same kind of help without board. Harvest hands must be rated an exception. Oriental laborers command a rate of \$1.25 per day and \$35 per month, always without board.

WAGE STATISTICS.—Wages and hours of labor of employees in railroad construction, on steam and electric railways, in stores and factories, in gold mines, and in lumber woods and sawmills are presented in this chapter. The tables give for each industry shown occupations, number of establishments and of employees, classified daily hours of labor with number of employees in each class, and classified wages per hour, day, week, or month with number of employees in each class.

CHILD LABOR.—An act regulating the employment of children was passed at the 1905 session of the State legislature. It provides that no child under 14 years of age shall be employed except (1) during the regular vacation of the public schools and (2) during the sickness of the parent, on a certificate of the judge of the juvenile court allowing the exemption. It also provides that no minor under 18 years of age shall be employed more than nine hours per day. All minors between 14 and 16 years of age must be provided with age and schooling certificates, which must be kept on file by the employer.

Since the enactment of the law child labor in six important industrial lines, in different sections of the State, has been investigated, viz, in stores, in canneries, in laundries, in can and glass factories, in clothing and shoes, and in the iron trades. Canneries showed the greatest percentage of child labor, many of the children, however, being vacation employees. Laundries showed very little child labor; and the iron trades employed mostly boys between 16 and 18 years of age when minor help was used, and many of these were apprentices.

EMPLOYMENT AGENCIES.—The law relating to employment agencies makes it the duty of the State commissioner of labor to exercise

certain jurisdiction over these institutions. From the records of the most important agencies throughout the State tables have been compiled showing for the year 1906 the wages and occupations of persons sent out at various times, and the number of persons who secured employment at each occupation. Data from six Japanese employment agencies in San Francisco are also given.

STRIKES AND LOCKOUTS.—This chapter of the report relates to statistics of the strikes and lockouts occurring in California for the five years ending December 31, 1905. The figures were furnished from data collected by the United States Bureau of Labor for its Twenty-first Annual Report.

REHABILITATION OF SAN FRANCISCO.—The work of the free employment agency operated for the National Red Cross Society by the State labor bureau from May 2 to May 29, 1906, for the benefit of the people thrown out of employment by the earthquake and fire of April 18, 19, and 20 preceding is recounted under this caption. A comparative table is also presented showing daily wages in selected occupations in San Francisco building trades on June 10 and on August 20, 1906. During this period there was a general increase in wages of from 15 to 20 per cent. In September an investigation of the change in house rents since April was undertaken. Of 157 dwellings considered, the increase in rents in the later month over the earlier averaged 27 per cent. Of cost of living it is stated: "There seems to be little difference in the cost of living in San Francisco, aside from house rent, from that existing a year ago."

WELFARE WORK.—In the principal cities of the State provision is made in many stores and factories for supplying meals at cost, rest rooms for temporarily indisposed employees, facilities for educational improvement, medical attendance and hospital privileges, sick benefits, etc.; and it is becoming the general custom to allow pay during the summer vacation to clerks and office staff in retail and wholesale stores and in factories. A recent investigation showed from one to two weeks' vacation with pay to 198 employees in Stockton, 986 in Oakland, and 3,134 in San Francisco. In addition, many firms pay wages during sickness.

LABOR LAWS AND COURT DECISIONS.—This chapter reproduces the factory and workshop law of 1889 and the laws passed and amended at the 1905 session of the State legislature, together with decisions of the supreme court upholding the validity of the child-labor laws.

INDIANA.

Eleventh Biennial Report of the Bureau of Statistics for 1905 and 1906.

Joseph H. Stubbs, Chief of Bureau. 780 pp.

The subjects presented in this report are as follows: List of Indiana factories, 206 pages; list of domestic and foreign bureaus of labor statistics, 3 pages; social statistics, 124 pages; economic statistics, 302 pages; industrial statistics, 65 pages; agricultural statistics, 54 pages.

LIST OF FACTORIES.—A list of the factories in the State in 1905 is presented by counties, giving name of factory, town in which located, and nature of product. Including those of every description, Indiana had in 1905 a total of 8,207 factories.

INDUSTRIAL STATISTICS.—The subjects considered in this division of the report relate to manufactures, labor organizations, banks and trust companies, steam railroads, electric railroads, coal mines, and stone quarries.

MANUFACTURES.—Under this presentation are included only those factories of the State which had in 1905 a product of \$500 or upward. The following is a summarized statement of the returns from the factories for the year 1905:

Factories whose output was over \$500.....	7, 912
Capital invested.....	\$312, 071, 234
Salaried officers and clerks.....	14, 862
Amount paid in salaries.....	\$15, 028, 789
Average number of wage-earners.....	154, 174
Amount paid in wages.....	\$72, 058, 099
Miscellaneous expenses.....	\$46, 682, 513
Cost of materials.....	\$220, 507, 007
Value of products (including custom work and repairing).....	\$393, 954, 405

The largest average number of wage-earners employed during any one month of the year was in the month of September, the number being 164,568—136,446 males 16 years of age or over, 24,099 females 16 years of age or over, and 4,023 children under 16 years of age.

LABOR ORGANIZATIONS.—There were 10 international organizations in 1905 with headquarters in Indiana, 3 of which were not affiliated with the American Federation of Labor. In 1905 there were 1,280 local trade unions in the State, 1,278 of which belonged to the 87 national and international organizations. The reported membership of these local unions was 72,504. Sick benefits were paid by 50 of the 87 national and international organizations. The average weekly sum for sick benefits locally was \$4.43, and the total paid out during the year was \$32,780. Death benefits were paid by 71 of the organizations. The average death benefit locally was \$204.84, and the total paid out during the year was \$185,186.94. Strike benefits

were paid by 72 of the organizations. The average weekly sum for strike benefits locally was \$5.99, and the total paid out during the year was \$11,234.85. Traveling benefits were paid by 22 of the organizations, and the total paid out during the year locally was \$8,335.95. Out-of-work benefits were paid by 17 of the organizations, and the total paid out during the year locally was \$2,057.82. In the different trades the average daily wages of journeymen were \$2.75 and of apprentices \$1.67. The average length of apprenticeship was 3 years and the ratio of apprentices to journeymen 1 to 8.

STEAM RAILROADS.—The operations of the steam railroads in Indiana for the two years ending June 30, 1906, are reported under this head, and show earnings and expenses, passenger and freight traffic, employees and wages paid, and accidents. The following table shows, for 1905 and 1906, number of employees in each occupation and average wages per day and average earnings per year:

AVERAGE WAGES PER DAY AND AVERAGE EARNINGS PER YEAR OF RAILROAD EMPLOYEES, 1905 AND 1906.

Occupation.	1905.			1906.		
	Number of employees.	Average daily wages.	Average yearly earnings.	Number of employees.	Average daily wages.	Average yearly earnings.
Station agents.....	1,528	\$1.95	\$624.14	1,432	\$1.91	\$628.52
Other stationmen	6,168	1.42	492.42	4,408	1.62	508.37
Enginemen.....	2,870	4.10	1,195.69	2,289	4.14	1,284.69
Firemen.....	2,971	2.36	697.60	2,392	2.40	709.69
Conductors.....	2,337	3.37	1,046.75	1,870	3.45	1,084.93
Other trainmen.....	5,325	2.33	695.12	4,320	2.39	714.57
Machinists.....	2,231	2.60	758.75	1,968	2.62	794.08
Carpenters.....	3,239	2.16	636.02	2,653	2.10	642.07
Other shopmen.....	8,973	1.90	560.50	8,678	1.92	591.22
Section foremen.....	1,796	1.84	590.00	1,595	1.80	584.13
Other trackmen.....	13,768	1.36	386.40	11,961	1.43	378.93
Switchmen, flagmen, and watchmen.....	1,937	1.50	520.56	1,844	1.60	512.81
Telegraph operators and dispatchers.....	2,049	1.91	623.30	1,733	1.94	619.92
Employees (floating equipment).....	202	1.66	519.40	(a)	(a)	(a)
Other employees and laborers.....	9,024	1.90	570.33	5,672	1.78	544.45

^a Not reported.

The falling off in the number of employees in 1906 as compared with 1905 is accounted for by the fact that only in the later year were some of the larger companies, operating also in other States, able to separate the returns in regard to their roads in Indiana from those of the entire system.

As the result of accidents on steam railroads in the State for the year ending June 30, 1905, 354 persons were killed (8 passengers, 112 employees, and 234 others) and 3,809 injured (221 passengers, 3,289 employees, and 299 others); for the year ending June 30, 1906, there were 358 killed (5 passengers, 115 employees, and 238 others) and 4,316 injured (342 passengers, 3,531 employees, and 443 others).

ELECTRIC RAILROADS.—In 1906 there were 32 electric railroads in operation in Indiana and 4 in process of construction. Statements are presented showing earnings and expenses, passenger and freight

business, number of employees and wages paid, and number of accidents and amount paid in damages. Including officers and clerks, the roads employed 3,337 persons in 1905 and 4,095 in 1906, to whom were paid in salaries and wages \$2,003,161 in 1905 and \$2,524,475 in 1906. In 1906 the average daily wages of motormen were \$1.88; of conductors, \$1.89, and of linemen, \$2.26. As the result of accidents, in 1905 there were 40 persons killed and 4,346 injured, and in 1906 there were 53 killed and 4,852 injured. In 1905 damages were paid to the amount of \$96,061 for accidents, and in 1906 to the amount of \$166,928.

COAL MINES.—During the year ending December 31, 1905, there were 202 coal mines in operation in the State. These mines were in operation an average of 150 days and produced 10,996,170 tons of coal. There were 18,811 workmen employed and 313 persons in offices at the mines. The wages paid aggregated \$9,387,210, of which \$6,465,578 was paid to inside workmen. Salaries paid aggregated \$501,355.

STONE QUARRIES.—There were 79 stone quarries in Indiana in 1906, which were in operation an average of 222 days each. The quarries gave employment to 3,686 workmen, who quarried 1,761,883 cubic yards of stone and to whom was paid \$1,619,836 in wages. To 151 office employees was paid \$210,491 in salaries.

NEW JERSEY.

Twenty-eighth Annual Report of the Bureau of Statistics of Labor and Industries of New Jersey, for the year ending October 31, 1905.
W. C. Garrison, Chief. iv, 429 pp.

This report consists of four parts, in which the following subjects are presented: Statistics of manufactures, 121 pages; steam railroads, 12 pages; cost of living, 17 pages; fruit and vegetable canning, 8 pages; health conditions of the pottery industry, 21 pages; wages and production in the glass industry, 12 pages; the eight-hour movement, 23 pages; labor legislation and decisions of courts, 17 pages; industrial chronology, 175 pages.

STATISTICS OF MANUFACTURES.—This presentation of the statistics of manufactures is based on returns for the year 1904, secured from 1,756 industrial establishments, 1,698 representing 88 specified industries and 58 grouped as unclassified. The facts are set out in eleven tables, which show by industries the number of establishments owned by corporations and by partnerships and individuals, amount of capital invested, value of materials and of products, number of wage-earners and wages and earnings, number of salaried employees and amount paid in salaries, days in operation and hours worked per day and per week, and character of power used.

The returns show that of the 1,756 establishments reporting, 1,001 were under the corporate form of ownership and management and 755 were owned and managed by partnerships and private individuals. Capital invested showed an aggregate of \$509,758,252, value of materials or stock used of \$341,074,722, and value of products or goods made of \$578,647,032. The total paid in wages amounted to \$98,104,992. There was an average of 208,526 wage-earners employed during the year, 147,700 males 16 years of age or over, 53,960 females 16 years of age or over, and 6,866 children under 16 years of age. To 1,841 salaried officers was paid a total of \$6,315,139, and to 13,673 salaried employees (superintendents, managers, foremen, clerks, etc.) a total of \$15,110,970. Under normal conditions, the average number of hours worked per day for the 1,756 establishments was 9.78, and the average number of hours worked per week 55.58. The average number of days in operation during the year was 287.99.

The table following presents, by age and sex, the total number and the per cent of wage-earners employed in 1904 in all industries (1,756 establishments) at the specified weekly rates of wages:

NUMBER AND PER CENT OF WAGE-EARNERS OF EACH AGE AND SEX IN ALL INDUSTRIES (1,756 ESTABLISHMENTS), BY CLASSIFIED WEEKLY RATES OF WAGES, 1904.

Classified weekly wages.	Number.				Per cent.			
	Males 16 years of age or over.	Females 16 years of age or over.	Children under 16 years of age.	Total.	Males 16 years of age or over.	Females 16 years of age or over.	Children under 16 years of age.	Total.
Under \$3.....	1,985	3,489	1,698	7,172	1.2	6.2	23.0	3.1
\$3 or under \$4.....	3,234	5,548	3,490	12,272	2.0	9.8	47.2	5.4
\$4 or under \$5.....	5,595	10,076	1,538	17,209	3.4	17.8	20.8	7.5
\$5 or under \$6.....	6,037	10,786	448	17,271	3.7	19.1	6.1	7.5
\$6 or under \$7.....	8,614	9,045	185	17,844	5.2	16.0	2.4	7.8
\$7 or under \$8.....	12,406	6,271	18	18,695	7.5	11.1	.3	8.2
\$8 or under \$9.....	14,300	4,334	12	18,646	8.6	7.7	.2	8.1
\$9 or under \$10.....	23,041	3,018	.....	26,059	13.9	5.3	.....	11.4
\$10 or under \$12.....	25,512	2,307	.....	27,819	15.4	4.1	.....	12.1
\$12 or under \$15.....	26,522	1,321	.....	27,843	16.0	2.3	.....	12.1
\$15 or under \$20.....	26,814	332	.....	27,146	16.2	.6	.....	11.8
\$20 or under \$25.....	7,051	18	.....	7,069	4.4	(a)	.....	3.1
\$25 or over.....	4,171	2	.....	4,173	2.5	(a)	.....	1.9
Total.....	165,282	56,547	7,389	229,218	100.0	100.0	100.0	100.0

^a Less than 0.05 per cent.

The following comparative table shows for selected industries, for the years 1903 and 1904, the average number of persons employed per establishment and the average yearly earnings per employee:

AVERAGE EMPLOYEES PER ESTABLISHMENT AND AVERAGE YEARLY EARNINGS PER EMPLOYEE, 1903 AND 1904.

Industries.	Establishments.		Average employ- ees per estab- lishment.		Average yearly earnings per employee.	
	1903.	1904.	1903.	1904.	1903.	1904.
Artisans' tools	35	34	56	52	\$563.92	\$555.46
Boilers, steam	13	13	135	155	565.66	611.53
Brewery products	32	32	62	61	872.12	861.09
Brick and terra cotta	58	55	91	101	446.03	411.54
Chemical products	42	42	131	128	487.51	487.47
Cigars and tobacco	31	34	224	189	319.47	300.44
Drawn wire and wire cloth	6	7	787	604	571.98	454.45
Electrical appliances	25	24	221	115	497.61	472.03
Furnaces, ranges, and heaters	15	13	107	124	617.63	691.32
Glass, window and bottle	22	21	280	263	501.05	528.23
Hats, men's	45	43	146	109	491.62	529.73
Jewelry	79	77	37	35	598.91	621.75
Leather, tanning and finishing	62	59	89	83	499.54	571.80
Lamps, electric and other	8	7	340	410	405.88	348.16
Machinery	95	93	177	157	603.98	610.18
Metal goods	61	59	91	88	434.81	426.43
Oils	12	11	280	348	598.34	672.13
Paper	33	30	60	59	484.78	505.16
Pottery	34	37	116	102	611.41	602.32
Rubber products, hard and soft	33	34	157	132	468.12	491.45
Shipbuilding	10	9	381	328	638.11	617.59
Silk, broad and ribbon	123	113	183	191	395.69	392.42
Smelting and refining precious metals	9	10	260	276	525.79	545.25
Steel and iron, structural	19	21	176	144	530.71	537.96
Steel and iron, forging	12	13	245	198	591.11	583.06
Woolen and worsted goods	26	26	323	318	349.26	332.55
Twenty-six industries	940	917	148	139	494.41	492.46
Other industries	871	839	102	96	436.25	436.20
All industries	1,811	1,756	126	119	471.81	470.47

STEAM RAILROADS.—For the fiscal year ending June 30, 1905, the 7 railroads in the State employed 37,953 persons for an average of 296 days per person, each working an average of 10.4 hours per day. The total paid in wages amounted to \$23,168,811, the average wages per day being \$2.06 and the average yearly earnings per employee \$610.46. Four of the companies reported the number of employees injured during the year as 1,323. The injuries of 60 resulted in death.

COST OF LIVING.—This is a continuation of the presentation of previous years, and shows the retail prices of 50 items of food and other commodities in the principal markets in all counties of the State in the month of June, 1905. Comparisons with retail prices in 1904 and in 1898 (the year the investigation was begun) are also given. Taken together, the prices of the commodities in 1905 as compared with the prices in 1898 showed an increase of 16.8 per cent, or an average increase from year to year of 2.4 per cent.

FRUIT AND VEGETABLE CANNING.—In 1904 there were 35 canneries from which returns were received. Invested capital to the amount of \$754,671 and wages paid to the amount of \$342,305 were

reported by 33. The 35 canneries gave employment to 4,898 wage-earners—2,092 males and 2,806 females. The selling value of the product amounted to \$1,703,389.

THE POTTERY INDUSTRY.—A canvass of the potteries in the city of Trenton was made by the Bureau of Labor in 1904 for the purpose of gaining, as nearly as possible, an exact knowledge of the health conditions prevalent in the industry. Returns were received from 33 potteries, which employed at the time of making the canvass an aggregate of 3,751 work people, about 675 of whom were females. The results of the inquiry showed that the conditions peculiar to the industry, which produced diseases in former years, had, to a fairly large extent, passed away as a result of improved factory buildings and the adoption in many old potteries of the latest methods of sanitation and ventilation; yet much remains to be done if the trade is made absolutely healthful. Physicians whose practice lies largely among potteries and who were consulted on the subject of diseases peculiar to the potter's trade stated that there has been a pronounced decline during recent years in potter's tuberculosis, asthma, lead colic, and other forms of illness. With regard to accidents in the potteries where all modern safeguards have been adopted, the only dangerous work now is said to be about the kilns, and the risks connected with them are slight. Dust, once a prolific cause of asthma and consumption, has, to a large extent, ceased to be so, all sweeping and cleaning up being done at night. During recent years the social condition of the potters has steadily improved.

THE GLASS INDUSTRY.—This is a review of the changes in wages and in methods of production in the glass industry of the State from 1875 to 1905. The information was obtained from men who had followed the trade as blowers during the thirty-year period, or for an even greater length of time, and who were thoroughly familiar with every new feature introduced into the process of manufacture during that time, and also from the records of the largest and oldest glass-making plants. But the main purpose of the inquiry was to ascertain the trend of glass blowers' wages during the period of time under review, improvements in process of manufacture being noticed only in so far as they may have affected the question of wages. It was found impossible to obtain wage data for each year of the period separately, but average earnings covering various periods were determined with approximate correctness. Up to 1879 the average earnings of blowers appears to have been \$3.83 per day; from 1879 to 1890 the average was about \$4.83 per day; from 1890 to 1905 the average has been about \$5 per day.

THE EIGHT-HOUR MOVEMENT.—This part of the report reviews the investigation made by the Federal Government, during the

Fifty-eighth Congress, concerning the relation of the shorter work-day to cost of production, preparatory to the consideration of House bill, No. 4064, "limiting the hours of daily service of laborers and mechanics employed upon work done for the United States, or for any Territory, or for the District of Columbia."

LABOR LEGISLATION AND DECISIONS OF COURTS.—This presentation consists of a reproduction of the labor laws enacted at the 1905 session of the State legislature and extracts from recent (1904-5) decisions of the New Jersey courts on cases affecting the interests of labor.

INDUSTRIAL CHRONOLOGY.—This industrial record is for the year ending September 30, 1905. The record presents, by date and locality, accounts of accidents to workmen, changes in hours of labor, closing of factories (partial or total), damage to manufacturing plants by fire or flood, enlargement of manufacturing plants, establishment of new manufacturing plants, incorporation of new industries, increases and reductions in wages, industrial plants that have left the State and that have moved into the State from elsewhere, organization of new labor unions, litigation in connection with manufacturing plants, strikes and lockouts, and wage-scale and working-hour demands of labor unions.

OREGON.

Second Biennial Report of the Bureau of Labor Statistics of the State of Oregon, 1905-6. O. P. Hoff, Commissioner. 229 pp.

The present report, the second biennial issued by the bureau, presents a variety of subjects pertaining directly and indirectly to labor and industrial conditions.

LABOR LAWS AND DECISIONS OF COURTS.—This section of the report consists, principally, of a reproduction of the laws of the State relating to labor, and two decisions of the supreme court in 1906 sustaining the validity of the ten-hour law for females and the child-labor law.

LABOR ORGANIZATIONS.—Reports were received from 96 unions, having a total membership of 9,252, giving date of organization, membership of each union, membership fees, monthly dues, strike, sick, and funeral benefits, wages and hours of labor, regulations governing apprenticeship, number of members idle, etc.

STRIKES AND LOCKOUTS.—Brief accounts are given of 9 strikes and 1 lockout which occurred in the State during the twelve months ending September 30, 1906.

INDUSTRIES.—Reports from various manufacturing, agricultural, transportation, and other industries of the State present capital and output, wages and hours of labor, number of employees, and miscel-

laneous data. In the woolen mills of the State the following average daily wages were paid in the different occupations:

Foremen.....	\$3.00
Sorters and pullers (male).....	1.81
Dry-house men.....	1.21
Pickers.....	1.52
Carders.....	1.30
Spinners (male).....	1.92
Spinners (female).....	1.59
Spoolers and dressers (male).....	1.54
Spoolers and dressers (female).....	1.27
Weavers (male).....	2.09
Weavers (female).....	1.42
Finishers, wet (male).....	1.59
Finishers, dry (male).....	1.55
Finishers, dry (female).....	1.25
Engineers and firemen.....	1.96
Watchmen.....	2.49
Workers not classified (male).....	1.48

MISCELLANEOUS.—Other subjects given consideration in the report are domestic help; education; accidents in factories, sawmills, and at logging; Chinese and Japanese; for each county of the State an account of its physical aspects, products, resources, transportation facilities, wages paid farm, ranch, and other labor, and various additional items of general information; and for each incorporated city and town its population, elevation, principal industries, transportation facilities, value of public buildings, cost of light and water service to consumers, cost of police and fire service, wages paid day labor, etc.

UTAH.

Reports of the Bureau of Statistics of the State of Utah for the years 1901 to 1906. Charles De Moisey, Commissioner (1901 to 1904); Fred W. Price, Commissioner (1905 and 1906). 6 vols.; 527 pp.

The law creating the Utah bureau of statistics became effective May 13, 1901, the duties of the bureau as set forth in the act being to collect, assort, systematize, and present in annual reports statistical details relating to agriculture, mining, manufacturing, and other industries of the State. The first report of the bureau (for the year 1901) was presented to the governor of the State on January 10, 1902.

Returns relating to statistics of agriculture show that for the five-year period 1901 to 1905 monthly wages, including board, of farm hands were as follows: In 1901 farm hands received an average wage of \$29.25 per month, in 1902 an average wage of \$29.78 per month, in 1903 an average wage of \$30.01 per month, in 1904 an average wage of \$31.10 per month, and in 1905 an average wage of \$31.07 per

month. The average weekly wages, including board, of women employed in farmers' families were \$2.48 per week in 1901, \$2.64 per week in 1902, \$2.88 per week in 1903, \$3.08 per week in 1904, and \$3.21 per week in 1905.

In 1903 there were 171 coal mines operated in the State, which produced 1,762,178 tons of coal, giving employment to 2,182 workmen, to whom were paid wages to the amount of \$1,538,390. In 1904 there were 160 mines operated, which produced 1,563,274 tons of coal, giving employment to 2,215 workmen. In 1905 there were 151 mines operated, which produced 1,600,528 tons of coal, giving employment to 2,092 workmen. The average daily wages of miners in 1905 were \$3.58; of inside laborers, \$2.75; of outside laborers, \$2.56.

The amount and value of gold, silver, lead, and copper produced in the State from 1877 to 1905 are also shown.

Statistics relating to the mercantile institutions of the State are presented for the years 1902 to 1905. They are presented by counties and also by kind of business for the four principal counties and the two principal cities. The number of establishments reporting, kind of ownership, capital invested, volume of business (wholesale and retail), percentage of sales inside and of sales outside the State, number of employees, total and average weekly wages, and daily hours of labor are shown. The table following summarizes the principal statistics:

STATISTICS OF MERCANTILE INSTITUTIONS, 1902 TO 1905.

Items.	1902.	1903.	1904.	1905.
Number of establishments reporting.....	2,392	2,488	2,552	2,641
Capital invested.....	\$19,972,606	\$20,748,334	\$22,740,481	\$26,519,998
Value of wholesale business.....	\$24,647,927	\$26,126,355	\$30,000,005	\$34,938,735
Value of retail business.....	\$39,041,771	\$41,870,539	\$51,673,184	\$60,166,883
Number of adult male employees.....	5,635	5,692	7,369	7,697
Number of adult female employees.....	1,428	1,433	1,916	1,998
Number of children under 16 years.....	302	360	317	327
Average weekly wages of adult males.....	\$15.28	\$15.17	\$16.56	\$16.97
Average weekly wages of adult females.....	\$7.26	\$7.32	\$6.95	\$7.08
Average weekly wages of children under 16 years..	\$3.76	\$3.08	\$3.90	\$4.71
Average hours of labor per day.....	9.8	9.8	10.3	10.0

Returns from the various manufacturing industries of the State are given, showing number of establishments reporting, capital invested, value of materials and products, number of employees, total wages paid, days in operation, daily hours of labor, percentage of product sold within the State, percentage of product sold without the State, etc. The table following presents for the year 1905 statistics relating to establishments; capital, product, employees, wages, and time.

STATISTICS OF MANUFACTURES, 1905.

Industry.	Estab- lish- ments.	Capital invested.	Value of product.	Number of em- ployees.	Total wages paid.	Average number of days in opera- tion.	Average daily hours of labor.
Aerated waters.....	6	\$110,025	\$250,377	56	(a)	304	9
Breweries.....	5	989,820	731,327	168	\$147,906	313	8.5
Canneries.....	20	866,703	386,206	1,081	40,083	38	9
Cigars.....	21	151,427	415,212	242	143,038	266	8
Clay products.....	22	1,289,323	1,337,553	524	266,515	224	9
Creameries and cheese facto- ries.....	30	527,460	1,296,901	284	160,284	365	8.7
Flour and grist mills.....	67	1,266,913	1,647,966	226	131,657	246	10
Metal products.....	34	337,489	985,017	342	259,636	290	8
Woolen and knitting mills....	13	823,612	640,909	508	193,543	(a)	10
Miscellaneous.....	29	10,479,807	3,893,411	1,421	915,624	(a)	9

a Not reported.

For the year ending June 30, 1906, there was employed in the public schools of the State a total of 1,892 teachers—567 males and 1,325 females. Exclusive of those employed in the five principal cities, the average monthly salary of teachers was \$69.17 for males and \$48.50 for females. In Salt Lake City the average monthly salary of male teachers was \$122 and of female teachers \$66.01; in Ogden the average monthly salary was \$89.41 for males and \$47.96 for females.

RECENT FOREIGN STATISTICAL PUBLICATIONS.

BELGIUM.

Monographies Industrielles. (Aperçu Économique, Technologique et Commercial.) XIV. Industries du Papier. Fabrication et Mise en Oeuvre du Papier et du Carton. Ministère de l'Industrie et du Travail, Office du Travail et Inspection de l'Industrie. 1906. 199 pp.

This volume is one of a series of monographs being prepared by the Belgian labor office on conditions existing in selected industries or groups of industries, considered from the economic, technical, and commercial standpoints. The present work relates to the paper industry, the first part relating to the conversion of the raw materials into paper and pasteboard and the second part to the working up of the same into finished products.

An introductory chapter is devoted to a statistical account of the industry, based on the industrial census of 1896 and showing the number of establishments, employees, hours of labor, and other facts relative to the different branches of paper manufacture in Belgium at that period.

The first part of the report describes the materials used, the various mechanical processes employed, and the different classes of finished products and contains a statement of the total production, exports, imports, and market value of paper and pasteboard during certain years, and a directory of establishments.

The second part of the report devotes a chapter to each of the following classes of paper products: Coated or saturated paper and pasteboard, paper and pasteboard ornamented in colors, writing paper and paper for cigarettes, paper and pasteboard for packing purposes, cardboard and articles made of paper, and fancy articles of paper. The description of each class of products is accompanied by an account of the materials used, the methods employed in manufacture, and the commercial value and destination of the output. A directory of manufacturing establishments is also given for each class of products.

The volume contains numerous illustrations.

GERMANY.

Die Regelung der Notstandsarbeiten in deutschen Städten. Bearbeitet im Kaiserlichen Statistischen Amt, Abteilung für Arbeiterstatistik. Berlin, 1905. viii, 181 pp.

The purpose of this study, made by the Imperial statistical office, is to show the methods used at the present time by the principal German cities which have instituted relief or emergency work for the purpose of alleviating distress caused by inability to secure employment. On January 15, 1903, schedules were sent to 57 cities, containing inquiries as to the kinds of work selected for the unemployed, the conditions imposed on those accepting such work, the hours of labor, the wages paid, the wage system used, and the relative cost of work when carried on by the usual methods, as compared with the cost of the same work when done with the object of providing a means of livelihood for persons unable to secure employment. The information presented in the report is compiled from the data contained in the replies to these schedules of inquiries.

DEFINITION OF RELIEF WORK.—The term “relief work” (*Notstandsarbeit*) as used in this report is defined as meaning special work undertaken by the public authorities for the purpose of providing a source of income for able-bodied persons unable to secure employment in the usual channels. The inauguration of relief work assumes that a condition of unemployment exists which is unusual as regards (1) the number of persons out of work, (2) the length of time it has continued, and (3) its general character.

PERSONS AIDED.—Relief work in this sense is never instituted to provide for persons whose distress was caused by (1) strikes or lock-outs or (2) the overcrowding of certain occupations or industries. Assistance in such cases must come from the regular charity departments of the municipalities. In some of the cities investigated persons accepting aid from the regular charity departments were not permitted to be assisted by the relief works. However, in most of the cities reporting, a close relation exists between the administration of the relief work and the municipal charity department. In particular, the investigation of the record of the applicant for work is generally done by the latter.

GENERAL REGULATIONS.—It was found that 9 of the 57 cities investigated have issued general regulations directing that relief work shall always be instituted whenever certain conditions exist, and specifying the methods which shall be followed in the administration of the work. This systematic treatment of the subject is regarded by the writer of the report as an indication of the tendency to make relief work a permanent feature of municipal administration.

CLASS OF WORK PROVIDED.—The kinds of work which the municipal authorities are able to offer the unemployed are naturally limited in variety. The investigation showed that the operations undertaken were "earthwork" (i. e., street construction, sewer construction, etc.), street cleaning, snow removal, demolition of old buildings, planting trees in the municipal forest reserves, chopping wood, and breaking stone. Those given employment on the relief works, therefore, must do unskilled laborers' work; but an effort was made to avoid assigning men to any work which might diminish their technical skill or injure their health. Most of the work which the municipal authorities are able to offer has the disadvantage of being difficult to execute in the winter season. The cleaning of streets and the removal of snow do not belong to this class, of course, and are consequently viewed with especial favor in some cities.

RESTRICTIONS AS TO THE PERSONS AIDED.—Though not always specified in the printed regulations, it is clearly understood that the relief work is provided only for those willing and able to work but unable to secure employment. Distress arising from a strike or lockout, leaving a position voluntarily, refusing an offer of employment, and inability to prove that he was regularly employed during the preceding summer are some of the causes which prevent an applicant from being granted employment on relief work. The problem of aiding workers of the seasonal industries, such as the building trades, is solved in various ways, but in the cities investigated there was a tendency to exclude such persons unless special circumstances accompanied the case. Another restriction in many of the cities excluded persons who are not married or who have no one dependent on them for support.

TIME LIMITS ON THE RELIEF WORK.—Practically all the cities limited such operations to the winter months. In the majority of the cities the work began on or shortly before the 1st of December and continued for periods varying from eight to twenty-six weeks.

ORGANIZATION.—Complete information on this phase of the subject was not secured, but it may be said that the work is usually administered by the officials of the city government rather than by special commissions. In 10 of the cities reporting the municipal charity departments were in charge of the work, while in 4 cities the municipal employment agencies performed that office. In 2 cities the management of the work was placed in the hands of contractors. Frankfort-on-the-Main was the only city reporting which appointed a special commission to administer the relief work.

WAGES.—It is evident that the compensation paid to the worker must be fixed at such a rate that he can earn an amount sufficient to support himself and his dependents, as otherwise the charity department would have to supply the deficiency. On the other hand,

it should not be possible for a laborer to earn an amount large enough to discourage him from seeking employment in the regular business establishments. For this reason maximum wage rates were usually established and generally at an amount somewhat less than the market rates for casual or unskilled labor. In Frankfort-on-the-Main, for instance, the rate per hour for a man without dependents was 20 pfennigs (5 cents), while for those with dependents it was 25 pfennigs (6 cents). The usual practice was to pay time rates for practically all the work except stone breaking, for which piece rates were paid.

In addition to the compensation just mentioned some of the cities paid the whole cost of insurance under the national workmen's insurance system, provided a hot midday meal or hot coffee, loaned tools and implements, etc.

HOURS OF LABOR.—In the cities investigated the daily working time, not including the meal or rest periods, averaged eight and one-half hours. As most of the work was done out of doors the length of the working day was largely dependent upon the period of daylight.

COMPARATIVE COST OF RELIEF WORK.—Of the 44 cities which made replies regarding the cost of work when done under the usual conditions, as compared with the cost of the same work when done to provide means of earning wages for the unemployed, by far the greater number replied that the cost was higher in the second case. For instance, it is estimated in the report that the increased cost of the class of work termed "earthwork" was 29 per cent, while for stone breaking the increase was 34 per cent. Two facts—first, that those employed on the work are usually without experience, and second, that the season of the year when the work is done is the least favorable for such work—readily account for most of the increased cost.

CONCLUSION.—As far as the cities investigated are concerned the conclusion is drawn that with the possible exception of a few cities, the use of relief or emergency work as a means of alleviating distress caused by unemployment was still in an experimental stage. The advantage of postponing great municipal improvements until times of industrial depression in order to provide employment is emphasized, and the benefit of planning to have as much as possible of the ordinary municipal work done at times when a high rate of unemployment prevails is also pointed out. Such a policy consistently carried out would ordinarily obviate the necessity of establishing relief work and would be less likely to impose an extra burden on the taxpayers.

GREAT BRITAIN.

Third Abstract of Foreign Labor Statistics. 1906. xxxiv, 343 pp.
(Published by the Labor Department of the British Board of Trade.)

This abstract is the third of a series intended to be supplementary to the Statistical Abstract for the Principal and Other Foreign Countries, and also to the Annual Abstract of Labor Statistics of the United Kingdom.

The subjects dealt with are: Wages and hours of labor; trade unions; trade disputes; conciliation and arbitration; workmen's insurance, and cooperation. The latest available reports have been utilized in the preparation of the tables given, and, as far as practicable, the tables appearing in former abstracts, which related to a series of years, have been reviewed and brought to date. The source from which the abstract has been compiled is usually stated in connection with the tables presented. Altogether statistics on one or more of the subjects dealt with are given for twelve principal European countries, the United States, and Japan. France and Germany are the only countries for which statistics are given on each of the six subjects.

A large number of new tables relating to the eleven countries embraced in previous reports and a new section relative to hours of labor have been added, and several sections have been enlarged by the addition of tables relating to countries not embraced in the previous numbers. The section devoted to cooperation has been considerably extended.

Comparative tables, especially those relating to the building trades, blacksmiths, pattern makers, etc., are shown, giving the rates of wages per hour and week and hours per day and week in the different countries. The rates of wages are reported in all the tables in English money, and the rates of conversion used are given in Appendix I. As far as possible the figures have been arranged on lines adopted in the reports relating to labor statistics of the United Kingdom.

Appendix II gives a list of tables which appeared in the first and second abstracts, but which have been superseded in this volume by later reports.

Fifth Report of Proceedings under the Conciliation (Trade Disputes) Act, 1896. (Published by the British Board of Trade.) 1905. 81 pp.

This is a report of the proceedings under the Conciliation Act, 1896, and covers a period of two years, from July 1, 1903, to June 30, 1905. During the period 27 cases were presented for settlement. In 23 of these cases the application for arbitration or conciliation was made by both parties to the dispute, in 2 by workmen, in 1 by an employer,

and in 1 by arbitrators who had failed to agree. Of the disputes leading to these applications, 12 were in the building trades, 7 in the metal, engineering, and shipbuilding trades, and 8 in various other groups of trades. There were 23 cases settled under the act, 1 was pending at the date of the report, on 1 the action taken did not directly lead to a settlement, and on 2 applications action was refused.

The total number of applications for arbitration or conciliation reported since the act went into operation (August 18, 1896) was 181. Of this number 68 were in the building trades, 38 in the metal, engineering, and shipbuilding trades, 23 in the mining and quarrying trades, 16 in transport trades, 8 in textile trades, 8 in clothing trades, and 20 in various other trades. Of the 181 applications made 122 were settled under the act, 14 cases were settled by the parties in dispute while the negotiations by the board were pending, in 44 cases action was either declined by the board of trade or no direct settlement resulted from their intervention. Settlement was effected in 85 cases by arbitration, and in 37 by conciliation, in 23 of which the settlement was arranged by officials of the department.

During the period covered by the fifth report 20 cases were settled by arbitration and 3 by conciliation. In 11 cases work was stopped, and in 16 there was no cessation of work. As regards the number of persons affected, the dispute in the tin-plate industry was the most important. On account of this dispute 41 works, comprising about 250 mills, were closed on August 29, 1903, and 14,000 employees were thrown out of work; an award was made January 27, 1904. Other important disputes settled were: That of the cigar makers, mainly in London, in which 800 persons stopped work for over two months; that of the quarrymen in Leicestershire, involving 400 employees and a cessation of work for seven weeks; that of the plasterers at Bradford, affecting 200 men, where work ceased on January 1, 1903, and where a settlement was effected in November of the same year, and the dispute at Sunderland, where 350 house joiners ceased work for more than three months.

It is known that 48 agreements between employers and employees contain a clause intended to prevent deadlocks, providing that "in the event of the board or other conciliatory agency failing to effect a settlement, application shall be made to the Board of Trade for the appointment of an arbitrator or conciliator."

Appendixes give tabular summary and detailed statement of each case presented to the board during the period covered by this report; text of awards and agreements made under the Conciliation Act during the same period; rules of conciliation boards and other agreements containing clauses which provide for reference of disputes to the Board of Trade, failing their settlements by other agencies, and a reproduction of the text of the Conciliation Act, 1896.

Directory of Industrial Associations in the United Kingdom in 1905.
210 pp. (Published by the Labor Department of the British Board of Trade.)

This is the fourth report of its kind issued by the labor and statistical department. It contains a list of employers' associations, trade unions, councils, federations, and other organizations of work people; conciliation and arbitration boards; cooperative, distributive, productive, and agricultural societies; friendly societies, and cooperative banks for the Kingdom.

The list embraces 984 employers' associations, 1,147 trade unions, 232 trade councils, 93 federations of trade unions, 6 federations of trade councils, 3 parliamentary committees of trade union congresses, 169 conciliation and arbitration boards, 3 free labor associations, 2,671 workmen's cooperative societies, and 347 of the more important friendly societies. The names and addresses of the secretaries of all employers' associations, trade unions, and other labor organizations, so far as known, and of friendly societies are given, as are also the addresses of distributive, productive, and cooperative societies, and of cooperative banks and centralized societies.

Health of Cornish Miners. Report to the Secretary of State for the Home Department. 1904. 111 pp.

This volume presents the results of an investigation, made in the years 1902 and 1903, into the conditions of health and employment among the miners in Cornwall. The mines there are entirely metaliferous, by far the most important mineral now extracted being tin ore. The present workings are mostly at a depth of between 2,000 and 3,000 feet. Almost no artificial ventilation is in use, so-called natural means being generally relied upon. The use of compressed air in the operation of rock drills is estimated to have an appreciable advantageous effect on the conditions of the air so far as the presence of carbon dioxide is concerned, and in regard to the presence of this gas the atmospheric conditions were found to compare favorably with those in iron and coal mines, where much more attention is paid to ventilation. The investigation showed, however, that the death rate among Cornish miners was considerably greater than among coal and iron miners; and, further, that whereas up to 1890–1892 the excess had been marked only among miners above the age of about 40 years, there was a great increase noted in 1900–1902 between the ages of 25 and 50.

Of the 6,059 work people returned as mine employees in Cornwall in 1901, 4,102 are employed in the Redruth district. Special inquiries were made relative to these in the course of this investigation, and the

following table summarizes the data obtained as to the deaths occurring during the three-year period 1900-1902:

ANNUAL DEATH RATE PER 1,000 MINERS AND MINE LABORERS IN REDRUTH DISTRICT, CORNWALL, 1900-1902.

Causes of death.	Death rate per 1,000 in each age group.						
	15-20.	20-25.	25-35.	35-45.	45-55.	55-65.	65-75.
Lung diseases.....	0.4	2.3	18.6	33.8	35.5	44.4	65.6
Other causes.....	0.8	4.4	2.1	4.8	11.5	20.4	41.9
Total death rate.....	1.2	6.7	20.7	38.6	47.0	64.8	107.5

For purposes of comparison the following table is added, showing the annual death rate per 1,000 male work people in England and Wales for the three-year period 1890-1892.

ANNUAL DEATH RATE PER 1,000 EMPLOYED MALES IN ENGLAND AND WALES, 1890-1892.

Causes of death.	Death rate per 1,000 in each age group.					
	15-20.	20-25.	25-35.	35-45.	45-55.	55-65.
Lung diseases.....	1.0	2.6	3.7	5.9	8.5	13.0
Other causes.....	1.6	2.5	3.6	6.5	12.2	23.7
Total death rate.....	2.6	5.1	7.3	12.4	20.7	36.7

A comparison of the above tables shows the excessive death rate among the Cornish miners. The following table shows the number of deaths of miners in the Redruth district, 1900-1902; those miners who had at any time worked machine drills and those who had not being separately classified:

DEATHS OF MINERS WHO HAD WORKED MACHINE DRILLS, AND OF OTHER UNDERGROUND MINERS, IN REDRUTH DISTRICT, CORNWALL, 1900-1902.

Items.	Deaths per 1,000 in each age group.						
	15-20.	20-25.	25-35.	35-45.	45-55.	55-65.	65-75.
Deaths of miners who had worked machine drills, caused by—							
Lung diseases.....		3	51	54	22	3	.....
Other causes.....		2	4	1	2	.....	.....
Deaths of other miners caused by—							
Lung diseases.....	1	1	8	19	23	36	25
Other causes.....	2	6	2	7	12	16	13

The number of men engaged in operating machine drills being comparatively small, it is evident from these figures that the mortality due to lung diseases among “miners who had worked machine drills” is enormously greater than among the “other miners.”

Phthisis, or “miners’ disease,” was the certified cause of death of 120 of the machine-drill men, other diseases of the respiratory organs being responsible for the death of 13. The average age of the 142 machine-drill men at death was 37.2 years. Besides the 171 miners

other than rock drillers whose deaths are tabulated above, 7 are reported as dying at more advanced ages. Of the total of 178 deaths 68 were ascribed to phthisis and 48 to bronchitis and other diseases of the respiratory organs, the average age of all at death being 53 years.

The committee record their conviction that the dust developed in drilling by machinery, the use of which has much increased in recent years, is the predisposing cause of the excessive mortality among metalliferous miners, and that the use of a small water jet would easily prevent the production of dust. It also recommends the adoption of approved special rules for metalliferous mines and the prohibition of the use of percussion rock drills unless satisfactory precautions for preventing the inhalation of dust have been taken.

ITALY.

I Probiviri Industriali, 86 pp.; *Basi Tecniche di una Cassa di Maternità*, 61 pp.; *I Carusi nelle Solfare della Sicilia*, 42 pp.; *L'Ispezione del Lavoro*, 64 pp. Ufficio del Lavoro, Ministero di Agricoltura, Industria e Commercio, 1904.

These four volumes are the first of a new series of publications issued by the bureau of labor of the Italian department of agriculture, industry, and commerce. They contain the results of inquiries conducted by that office upon the application of certain laws enacted by Parliament for the betterment of conditions among the working classes. The first volume of the series relates to the operation of the act of June 15, 1893, governing the creation of councils of prudhommes for the settlement of industrial disputes. This report consists of three parts, the first containing a discussion of the means provided by law for the organization of the boards, the second dealing with their functions, and the third with their jurisdiction and powers. Certain defects existing in the terms of the present law are pointed out and measures for their correction are suggested. The facts presented in the report are illustrated by means of several tabular statements.

The second volume, which is designed to assist in the application of article 6 of the law of June 19, 1902, governing the employment of women and children, consists of an inquiry into the essential requisites necessary to the support and maintenance of a maternity fund. The first portion of the report contains a brief account of the movement in Parliament for the creation of a fund of this character and of the investigations undertaken in connection therewith by the ministry of agriculture, industry, and commerce, and subsequently by the bureau of labor. The second half of the report is devoted entirely to tables.

In the third number of the series are published the results of an investigation into the circumstances surrounding the employment of young boys (*carusi*) as laborers in the sulphur mines of Sicily. The

first part of the report is devoted to an examination of the principal literature bearing on the subject of child labor in the mines, together with a summary of the recommendations made by eminent writers with a view to alleviating the conditions under which the children are compelled to work. Other chapters contain a history of the investigation made by the labor office and a discussion of the probable effects upon the sulphur industry of the enforcement of the new law regulating the employment of women and children. The report concludes with a brief examination of the measures necessary to correct the limited scope and efficacy of the present law.

The fourth volume contains a study of the labor-inspection service in Italy as organized under the provisions of existing labor laws. The report consists of three parts, the first tracing the origin and development of the inspector's office, the second explaining its present organization and powers, and the third describing the investigations conducted by the labor bureau among the persons interested in its operation. The last chapter comprises a summary of the replies made by various employers' associations, labor exchanges, and other organizations to the inquiries sent out by the bureau concerning the efficacy and needs of the inspection service.

DECISIONS OF COURTS AFFECTING LABOR.

[Except in cases of special interest, the decisions here presented are restricted to those rendered by the Federal courts and the higher courts of the States and Territories. Only material portions of such decisions are reproduced, introductory and explanatory matter being given in the words of the editor. Decisions under statutory law are indexed under the proper headings in the cumulative index, page 655 et seq.]

DECISIONS UNDER STATUTORY LAW.

EMPLOYERS' LIABILITY—EMPLOYMENT OF CHILDREN—AGE LIMIT—BRINGING CASE WITHIN STATUTE—*Van Wyck v. Dickinson*, *Supreme Court of Michigan*, 111 *Northwestern Reporter*, page 1033.—In this case Leroy Van Wyck sued, by his next friend, to recover damages for injuries received while in the defendant's employment, and from an adverse judgment in the circuit court of Kent County he brought this appeal. Two points were involved, one the condition of the machine at which Van Wyck was employed and the other the application of the statute making 16 years the minimum age of employment of children in establishments where life or limb is endangered. Van Wyck was 15 years of age at the time of the accident causing the injury. On both these points the supreme court held with the court below that the plaintiff had no ground for recovery. As to the child-labor statute, Judge Ostrander, speaking for the court, said:

We are asked to give some effect to the statute (act No. 113, p. 157, Laws 1901) which forbids the employment of children under the age of 16 years in a manufacturing establishment at employment where life or limb is endangered. Section 2 of this act was amended in 1905 (act No. 171, p. 239), and it appeared that the mother of plaintiff, before defendant hired the boy, made the sworn statement required by said section [relating to age and ability to read and write]. It is not averred that it was negligence to employ plaintiff in this establishment, at this work. (*Borck v. Michigan Bolt and Nut Works*, 111 Mich. 129, 69 N. W. 254.) [Bulletin No. 12, p. 640.] It is contended that, so long as the facts show an employment prohibited by the statute, it is immaterial, so far as the question of defendant's negligence is concerned, whether the statute is declared upon or not. If by this is meant that it is unnecessary to aver an employment such as the statute prohibits, the contention is not sound, and the point is ruled by the case above cited. Whether a defendant is conducting a manufacturing establishment within the meaning of the statute, and whether the particular employment endangers life or limb, are questions of fact, and if it is claimed that the facts exist the rules of pleading demand a tender of the issues so that defendant may be informed of the case he is required to meet.

EMPLOYERS' LIABILITY—MINE REGULATIONS—STATUS OF MINE BOSS—FELLOW-SERVANTS—*Mc Millan v. Middle States Coal and Coke Company, Supreme Court of Appeals of West Virginia, 57 Southeastern Reporter, page 129.*—John McMillan was injured by the explosion of dynamite caps used in shooting down coal in the mine in which he was employed, and sued to recover damages. McMillan was a car loader and went for the caps under the direction of an employee known as a "bank boss." Judgment was in his favor in the circuit court of McDowell County. On appeal this judgment was reversed on the ground that the bank boss was not the company's representative in the matter in hand, and it was not therefore liable for his acts.

The reasoning by which this conclusion was reached is set out in the following extract from the opinion of the court, as given by Judge Brannon:

The first question is: Who gave the order to McMillan to get the dynamite caps? The mine boss. Not a bit of authority in him to so order McMillan is shown. It was not within his statute duties. In fact, it is not shown what was his authority, or that the company ever gave him any authority. The evidence simply calls him a "bank boss." We suppose that he is a mine boss appointed by the company under the mandate of the statute in the code (ed. 1899), appendix, page 1052 [Ann. Code 1906, sec. 410]. That appointment did not give him authority to order McMillan to get the caps. His act would not bind the company. Assume that McMillan was working outside of the line of labor for which he was employed, and sent by the mine boss to a new, a different, a dangerous service, still it must appear that the order to get the dynamite was the company's order. "Where the injury was received by the servant while doing work outside the scope of his employment, it often becomes a material question whether he was acting under proper authority; for it is clear, upon general principles, the negligence can not be predicated of the master's omission to instruct a servant as to work which he was neither expected nor ordered to do. As, in the case of an order given by a superior employee in respect to matters within the scope of the original employment of the injured servant, the master is not bound by an order of the kind considered in the present chapter, unless it was one which the directing employee had authority to give. Where the servant, in doing work outside the scope of his employment, was acting without proper authority, it is clear that the failure to give him instructions can not be imputed to the master as negligence." (1 Labatt, Master and Servant, secs. 240, 457.) "The mere assumption of an employee of the power to control his fellows, without a delegation of such power by the employer, will never render the employer liable for the orders of such subordinate, and, if an employee sees fit voluntarily to recognize such self-constituted authority, he assumes the risk of obedience, or should look to such employee for redress." (White on Personal Injuries, sec. 222.) Thus we see that one giving orders must have authority from the master. We held in *Williams v. Thacker Coal Company*, 44 W. Va. 599, 30 S. E. 107 [Bulletin No. 19, p. 879], that a mine boss is a fellow-servant with other employees, and that, when the coal operator has complied with the statute by making a fit appointment, its duty is

at an end, and he is not responsible for damages resulting from his negligence. It has been held elsewhere that the coal operator is not responsible even for those acts which fall within the scope of the duties of the mine boss, though resulting from his negligence. (*Waddell v. Simoson*, 112 Pa. 567, 4 Atl. 725; *Lehigh Valley Coal Co. v. Jones*, 86 Pa. 432; *Delaware Canal Co. v. Carroll*, 89 Pa. 374; *Lineoski v. Susquehanna Coal Co.*, 157 Pa. 153, 27 Atl. 577; *Reese v. Biddle*, 112 Pa. 72, 3 Atl. 813.) These cases are found in 2 Labatt, Master and Servant, note "o," page 1451.

But, now, with special eye to the question whether the coal operator must answer for the order of the mine boss: He is really the representative of the State appointed for the protection of the lives of the miners. He has been said not to be the officer of the corporation. The company was bound to appoint him whether it would or no. He is put into the mine by the power of the State to watch the condition of the mine, to hold the mine operator up to his duty in certain things. The statute prescribes certain duties for him. He has no others. He has power to watch the condition of the mine in certain respects, to detect its wants, to demand their cure, and to bring the mine operators up to the standard required by the act. It has been said that he performs functions for the State, in behalf of the miners, and is not the representative of the coal operator, unless it be shown that the coal operator, by his own act, has committed other duties and granted powers to him. The Pennsylvania court in *Delaware Canal Company v. Carroll*, 89 Pa. 374, said: "There is no room for the allegation that a mining boss under the mine-ventilation act of 1870 is an agent of the mine owner or a coemployer. He is clothed with no power of engaging and discharging miners and the laborers at pleasure. He is merely a fellow-servant with the miner. He is nowhere in the act designated as the agent of the owner of the mines. His duties are specified in the same manner that the duties of the engineer are specified in the sixteenth section, and as the duties of other employees are defined in various other sections. He has no general power of control. His duties are confined to special matters. That they are different from those of others of his fellow-colaborers, or even that they are of a higher grade, does not matter." In *Red Stone Coke Company v. Roby*, 115 Pa. 364, 8 Atl. 593, the court declared that the mine boss "is a creature of the legislature, selected by the mine owner in obedience to the command of the law, and in the interest and for the protection of the miners." In the Colorado case of *Coal Company v. Lamb*, 6 Colo. App. 255, 40 Pac. 251, the court said: "We are unable to see how he is, in any sense, either as vice principal or otherwise, the representative of the master, or how he can stand in any other relation to his colaborer than that of a fellow-servant." This coal company had a superintendent. And as said in *Lehigh Valley Company v. Jones*, cited, this mine boss did not supersede the superintendent. It was for the superintendent to give the order. He had no part in this transaction. The statute does not make the mine owner liable for the acts of the mine boss. In the Colorado case of *Coal Company v. Lamb*, 6 Colo. App. 255, 40 Pac. 251, it is held: "The mine boss, under the coal mining act of 1885, is, in the absence of proof that he had other authority than that derived from the statute, a fellow-servant with the miners, and the mine owner is not responsible to

the workmen for injuries resulting from the negligence of the mine boss." The court said: "There is nothing in the record which discloses his relation to the company to be other than what was derived from his statutory authority." So we say in this case. This ends the case. There is positively no authority shown in this mine boss to bind the company for his order to McMillan or for the mine boss's failure to instruct McMillan as to the dynamite. Counsel would argue that the act for appointment of the mine bosses has only taken from the operator some duties, those specified in the act, but has left other duties on the operator, and that the duties of the mine boss specified in the statute have no relation to the act of the mine boss in this case, giving the order and failing to give warning to McMillan, and that this is a nonassignable duty; but the trouble is the company is not bound for the act of this mine boss or for his omission.

Furthermore, the authorities above cited hold the mine boss a fellow-servant with McMillan, and say that the company is not liable for his negligence or omission. What is it that is claimed to have caused the injury to McMillan? The act of the mine boss in ordering him to different work and particularly in failing to instruct him of the danger of dynamite. In other words, the negligence of the mine boss. How can you make the company liable for the negligence of a fellow-servant? If servant as to statutory duties, the court regards the mine boss a fellow-servant. This act was not a statutory duty, and his authority as to it is not shown, and, even then, he would be a fellow-servant.

From these views we must say that the circuit court should have struck out the evidence of the plaintiff and directed a verdict for the defendant, and therefore we reverse the judgment and render judgment for the defendant.

EMPLOYERS' LIABILITY—RAILROAD COMPANIES—FEDERAL STATUTE—APPLICATION TO SHOP EMPLOYEES—*Malloy v. Northern Pacific Railway Company, Circuit Court of the United States, Western District of Washington, 151 Federal Reporter, page 1019.*—This was an action by one Malloy to recover damages for an injury received by him while employed by the above-named company as a workman in its car shops. The accident causing the injury was charged to be due to the unguarded condition of a saw in the shops. The defendant company replied that the condition of the saw and the danger attending its operation were obvious, and that the risk was therefore assumed. To this the plaintiff, Malloy, demurred, holding that under the Federal law of June 11, 1906, he would not assume the risk.

This view was sustained by the court, as appears by the opinion delivered by Judge Hanford, given herewith:

Act Cong. June 11, 1906, 34 Stat. 232, c. 3073, commonly called "The employers' liability act," fixes a liability upon all common carriers engaged in interstate and foreign commerce, for damages to their employees who may suffer injuries resulting from negligence, or by reason of any defect or insufficiency due to negligence in cars,

engines, appliances, machinery, track, roadbed, ways or works, and the third section of the act provides:

“That no contract of employment, * * * entered into by or on behalf of any employee, * * * shall constitute any bar or defense to any action brought to recover damages for personal injuries to or death of such employee.”

The intent and object of Congress in the enactment of this statute is plain, viz, it is to make the liability of common carriers engaged in interstate commerce for injuries to their employees in consequence of negligence, or insufficiency or defects of the physical property used in the carrying business or pertaining thereto, more nearly absolute, and to deprive such employers of the benefit of defenses which were, previous to the enactment of the statute, legal. It is still lawful for men to engage in hazardous employments; but the class of employers to which the act refers can not by any contracts which they may make with their employees avoid liability for damages which may be suffered as a consequence of negligence. An express contract between the plaintiff and the defendant, exempting the latter from liability for damages in case of an injury caused by the operation of a saw in its car shop, negligently permitted to be unnecessarily dangerous by reason of being unboxed, would not constitute a bar to a recovery, of damages in this case, because the statute so declares, and if an express contract would be unavailing, this special defense, predicated upon an implied contract, must also fall.

HOURS OF LABOR OF WOMEN—NIGHT WORK—CONSTITUTIONALITY OF STATUTE—*People v. Williams, Court of Appeals of New York, 81 Northeastern Reporter, page 778.*—David L. Williams had been convicted of employing a woman at night in violation of the law forbidding the employment of females for more than sixty hours per week, or after 9 o'clock in the evening or before 6 in the morning. On his appeal this judgment had been reversed by the court of special sessions, the supreme court agreeing. The people then appealed, this appeal resulting in the affirmation of the judgment of the supreme court, and the discharge of Williams on the ground of the unconstitutionality of the statutory provision referred to. The opinion was prepared by Judge Gray, all concurring, and is in part as follows:

In my judgment, the determination below was correct. I think that the legislature, in preventing the employment of an adult woman in a factory, and in prohibiting her to work therein before 6 o'clock in the morning, or after 9 o'clock in the evening, has overstepped the limits set by the constitution of the State to the exercise of the power to interfere with the rights of citizens. The fundamental law of the State, as embodied in its constitution, provides that “no person shall * * * be deprived of life, liberty or property without due process of law.” (Art. 1, sec. 6.) The provisions of the State and of the Federal constitutions protect every citizen in the right to pursue any lawful employment in a lawful manner. He enjoys the utmost freedom to follow his chosen pursuit, and any arbitrary distinction against, or deprivation of, that freedom by the legislature is an inva-

sion of the constitutional guaranty. Under our laws men and women now stand alike in their constitutional rights, and there is no warrant for making any discrimination between them with respect to the liberty of person or of contract. It is claimed, however, in this case, that the enactment in question can be justified as an exercise of the police power of the State, having for its purpose the general welfare of the State in a measure for the preservation of the health of the female citizens. It is to be observed that it is not a regulation of the number of hours of labor for working women. The enactment goes far beyond this. It attempts to take away the right of a woman to labor before 6 o'clock in the morning, or after 9 o'clock in the evening, without any reference to other considerations. In providing that "no female shall be employed, permitted, or suffered to work in any factory in this State before 6 o'clock in the morning, or after 9 o'clock in the evening of any day," she is prevented, however willing, from engaging herself in a lawful employment during the specified periods of the twenty-four hours. Except as to women under 21 years of age, this was the first attempt on the part of the State to restrict their liberty of person, or their freedom of contract, in the pursuit of a vocation. I find nothing in the language of the section which suggests the purpose of promoting health, except as it might be inferred that for a woman to work during the forbidden hours of night would be unhealthful. If the inhibition of the section in question had been framed to prevent the ten hours of work from being performed at night, or to prolong them beyond 9 o'clock in the evening, it might more readily be appreciated that the health of women was the matter of legislative concern. That is not the effect, nor the sense, of the provision of the section with which alone we are dealing. It was not the case upon which this defendant was convicted. If this enactment is to be sustained, then an adult woman, although a citizen, and entitled as such to all rights of citizenship under our laws, may not be employed, nor contract to work, in any factory for any period of time, no matter how short, if it is within the prohibited hours; and this, too, without any regard to the healthfulness of the employment. It is clear, as it seems to me, that this legislation can not, and should not, be upheld as a proper exercise of the police power. It is, certainly, discriminative against female citizens, in denying to them equal rights with men in the same pursuit. The courts have gone very far in upholding legislative enactments, framed clearly for the welfare, comfort, and health of the community, and that a wide range in the exercise of the police power of the State should be conceded, I do not deny; but when it is sought, under the guise of a labor law, arbitrarily, as here, to prevent an adult female citizen from working at any time of the day that suits her, I think it is time to call a halt. It arbitrarily deprives citizens of their right to contract with each other. The tendency of legislatures, in the form of regulatory measures, to interfere with the lawful pursuits of citizens, is becoming a marked one in this country, and it behooves the courts, firmly and fearlessly, to interpose the barriers of their judgments, when invoked to protect against legislative acts plainly transcending the powers conferred by the constitution upon the legislative body.

In this section of the labor law, it will be observed that women are classed with minors under the age of 18 years, for which there is no reason. The right of the State, as *parens patriæ*, to restrict, or to

regulate, the labor and employment of children is unquestionable; but an adult female is not to be regarded as a ward of the State, or in any other light than the man is regarded, when the question relates to the business pursuit or calling. She is no more a ward of the State than is the man. She is entitled to enjoy, unmolested, her liberty of person, and her freedom to work for whom she pleases, where she pleases, and as long as she pleases, within the general limits operative on all persons alike, and shall we say that this is valid legislation, which closes the doors of a factory to her before and after certain hours? I think not. Without extended reference to the cases bearing upon the much-discussed subject of the exercise of the police power, I need only refer to the recent case of *Lochner v. State of New York* (198 U. S. 45, 25 Sup. Ct. 539, 49 L. Ed. 937), where the Supreme Court of the United States had before it a case arising in this State under a provision of the labor law which restricted the hours of labor for the employees of bakers. The argument there was, and it had prevailed in this court, that the legislation was valid as a health law under the police power; but the Federal Supreme Court refused to recognize the force of the argument, and held, if such legislation could be justified, that constitutional protection against interference with the liberty of person and the freedom of contract was a visionary thing. It was held that bakers "are in no sense wards of the State. Viewed in the light of a pure labor law, with no reference whatever to the question of health, * * * the law * * * involves neither the safety, the morals, nor the welfare of the public, and the interest of the public is not in the slightest degree affected by such an act." It was also observed that "there must be more than the mere fact of the possible existence of some small amount of unhealthiness to warrant legislative interference with liberty."

So I think, in this case, that we should say, as an adult female is in no sense a ward of the State, that she is not to be made the special object of the exercise of the paternal power of the State, and that the restriction here imposed upon her privilege to labor violates the constitutional guaranties. In the gradual course of legislation upon the rights of a woman, in this State, she has come to possess all of the responsibilities of the man, and she is entitled to be placed upon an equality of rights with the man. It might be observed that working in a factory in the night hours is not the only situation of menace to the working woman; but such occupation is arbitrarily debarred her.

For these reasons, I advise that the order appealed from should be affirmed.

PROTECTION OF EMPLOYEES AS MEMBERS OF LABOR ORGANIZATIONS—COMMERCE—POWERS OF CONGRESS—EQUAL PROTECTION OF LAWS—CONSTITUTIONALITY OF STATUTE—*United States v. Adair*, District Court of the United States, Eastern District of Kentucky, 152 Federal Reporter, page 737.—William Adair, master mechanic of the Louisville and Nashville Railroad Company, had discharged one Coppage, a fireman employed by the company, for the reason, as was alleged, that Coppage was a member of a labor organization

known as the Order of Locomotive Firemen. Adair was indicted under the Federal law of June 1, 1898, chapter 370, 30 Stat. 428 (U. S. Comp. Stats., 1901, p. 3205), which provides for the arbitration of labor disputes between companies operating interstate railroads and their employees. The particular provision in question is found in section 10 of the law, which provides for a punishment by fine against any employer who makes it a condition of employment that an employee shall not become or remain a member of any labor organization, or who threatens with loss of employment or discriminates against any employee because of such membership.

The indictment was demurred to on the ground that the portions of the act recited are unconstitutional, and this point alone was before the court at this time. The law was held to be constitutional by Judge Cochran, who reviewed the subject in an opinion which went fully into the contentions of Adair's counsel, and distinguished between the law in question and State laws of similar import, which have been held unconstitutional in every instance by the higher courts of the States. This section of the Federal law was declared unconstitutional in *United States v. Scott* (148 Fed. 431) [Bulletin No. 68, p. 431], so that the present opinion stands practically alone as upholding such legislation. For this reason, and on account of the discussion of the powers of Congress to regulate interstate commerce, and the definition of such commerce (which may be compared with the discussion of the same subject by Judge Morris in *Kelly v. Great Northern Railway Co.* (152 Fed. 211) [Bulletin No. 70, p. 717], the reasoning of the court will be given at some length.

The law under consideration is entitled "An act concerning carriers engaged in interstate commerce and their employees." Judge Cochran first reviewed briefly the conditions attending its enactment and summarized the provisions of the various sections, and came to the conclusion that through them all runs "a unifying thread, an organizing idea that makes them parts of a real whole. That idea is a common purpose, and that common purpose an avoidance of an interruption to interstate commerce arising from a resort by employees to strikes, lockouts, or boycotts to redress their real or fancied wrongs." The facts in the case as given above were then set forth, after which the court said:

It is claimed that said section is unconstitutional for several reasons. The first one is that no warrant for its enactment is to be found in the Federal Constitution. It is denied that it is within subsection 3, section 8, article 1, conferring on Congress power "to regulate commerce with foreign nations and among the several States and with the Indian tribes," the only provision thereof which it can be claimed justifies it. Is this denial sound? The question whether any given legislation by Congress is within this provision

hangs upon two others. What is it that Congress is thereby empowered to regulate? And, what is to regulate it? It is empowered to regulate nothing else and to do nothing else to it than to regulate it.

In considering what it is Congress is thereby empowered to regulate, I will, for convenience sake, limit myself to commerce among the several States, or interstate commerce. Interstate commerce, though perhaps not limited thereto, includes interstate intercourse. We are concerned here with no more. Interstate intercourse is the passage of property, persons, or messages from within one State to within another State. It has certain adjuncts, to wit, the persons corporate or natural and their employees effectuating the passage, the means by which they effectuate it, including the ways, artificial or natural, over which, and the instrumentalities by which, the passage is made, and the charges made for the service rendered. Strictly speaking, these things are not interstate intercourse or commerce. They are merely the adjuncts thereof. Congress, however, is empowered by said provision to regulate the adjuncts of interstate commerce as much so as interstate commerce itself. Its power to regulate them is as extensive, full, and complete as its power to regulate it. The rationale or juridical explanation of this may be debatable. It may be because, within the meaning of said provision, the adjuncts of such commerce are parts thereof, or because to regulate the adjuncts thereof is to regulate it, or because power to regulate the former is granted by necessary implication; to regulate the latter being all that is expressly granted. Or it may be that the power to regulate the adjuncts of interstate commerce is dependent somewhat on the last subsection of said section 8, article 1, which confers on Congress power to pass laws necessary and proper to carry into execution the powers conferred by the other and preceding sections thereof. But as to the existence of power to regulate the adjuncts of interstate commerce, and as to the extent thereof being as stated, there can be no question.

What I have said as to the nature of interstate commerce and its adjuncts is not put forward as exhaustive or exactly accurate. The matter has not been sufficiently reflected upon for me to be absolutely sure of my ground. It is put forward simply as a working basis, and is deemed sufficient for that purpose. It is a deduction from the relevant decisions of the Supreme Court of the United States. I will not, however, pause to make this good.

What is it, then, to regulate interstate commerce and its adjuncts? This question requires a more extended consideration, as it is here that it is claimed on behalf of defendant that said section breaks down. It is urged that the power to regulate, conferred by said provision of the Federal Constitution, is a power to regulate directly and substantially, and not indirectly, remotely, incidentally, or collaterally, and that said section, in so far as it is a regulation at all, is an indirect, and not a direct, one, and hence not within such power. Two lines of decisions of the Supreme Court of the United States are relied on in support of both these positions, i. e., as to the nature of said power, and as to the nature of the legislation embodied in said section.

One line consists of decisions in cases in which the application of Anti-Trust Act, July 2, 1890, c. 647, 26 Stat. 209 [U. S. Comp. St. 1901, p. 3200], was involved, and divides itself into two classes;

those where it was held that it did not apply, and those where it was held that it did. Cases of the former class are the following, to wit: *United States v. E. C. Knight Co.*, 156 U. S. 1, 15 Sup. Ct. 249, 39 L. Ed. 325; *Hopkins v. United States*, 171 U. S. 578, 19 Sup. Ct. 40, 43 L. Ed. 290; *Anderson v. United States*, 171 U. S. 604, 19 Sup. Ct. 50, 43 L. Ed. 300. Cases of the latter class are the following, to wit: *United States v. Trans-Missouri Freight Association*, 166 U. S. 290, 17 Sup. Ct. 540, 41 L. Ed. 1007; *United States v. Joint Traffic Association*, 171 U. S. 505, 19 Sup. Ct. 25, 43 L. Ed. 259; *Addyston Pipe and Steel Co. v. United States*, 175 U. S. 211, 20 Sup. Ct. 96, 44 L. Ed. 136; *Northern Securities Co. v. United States*, 193 U. S. 197, 24 Sup. Ct. 436, 48 L. Ed. 679; *Swift & Co. v. United States*, 196 U. S. 375, 25 Sup. Ct. 276, 49 L. Ed. 518. The other line consists of decisions to the effect that certain State legislation was not an encroachment on the commercial power of Congress, and hence was valid. Amongst the cases cited containing such decisions are the following, to wit: *Sherlock v. Alling*, 93 U. S. 102, 23 L. Ed. 819; *Escanaba Co. v. Chicago*, 107 U. S. 678, 2 Sup. Ct. 185, 27 L. Ed. 442; *Smith v. Alabama*, 124 U. S. 465, 8 Sup. Ct. 564, 31 L. Ed. 508; *Kidd v. Pearson*, 128 U. S. 1, 9 Sup. Ct. 6, 32 L. Ed. 346; *Nashville etc., Ry. Co. v. Alabama*, 128 U. S. 96, 9 Sup. Ct. 28, 32 L. Ed. 352; *Hennington v. Georgia*, 163 U. S. 299, 16 Sup. Ct. 1086, 41 L. Ed. 166; *C., M. & St. Paul Ry. Co. v. Solan*, 169 U. S. 133, 18 Sup. Ct. 289, 42 L. Ed. 688; *Williams v. Fears*, 179 U. S. 270, 21 Sup. Ct. 128, 45 L. Ed. 186.

I can not accede to the correctness of either position, i. e., as to the nature of said power, or as to the nature of said legislation, or that either finds support in either one of these lines of decision. The position as to the nature of the power conferred on Congress by said constitutional provision interpolates therein the qualifying word "directly." The power conferred thereby is "to regulate" without limitation, and not "to regulate directly." The courts have no right to limit a constitutional provision by inserting a qualifying word therein. They must take it as they find it. If, then, there is such a thing as an indirect regulation of interstate commerce, or its adjuncts—if indeed all regulation is not in its very nature direct—it is hard to conceive why it is not covered by the power conferred. In the case of *Gibbons v. Ogden*, 9 Wheat. 1, 6 L. Ed. 23, Mr. Chief Justice Marshall said:

"This power, like all others vested in Congress, is complete in itself, may be exercised to its utmost extent, and acknowledges no limitations other than are prescribed in the Constitution."

The correct definition of the power, as it seems to me, is that it is the power to enact legislation that directly affects interstate commerce or its adjuncts, and not legislation that affects it or them indirectly only. Or it may be put this way: It is the power to enact legislation which relates to, acts upon, or touches interstate commerce or its adjuncts or legislation of which either is the subject. Such legislation affects them directly. Legislation which does not relate to, act upon, or touch them, or of which they are not the subject, can only affect them indirectly.

No support of the position of defendant's counsel as to the nature of the power in question can be found in either of the two lines of decisions relied on by them. So far as they throw light on the subject, they bear out the statement as to the nature thereof, which I have put

forward. The last line throws less light on it than the first. This is to be expected, as it has to do with State legislation; whereas, the other has to do with Congressional legislation. Indeed, the decisions in the *Sherlock*, *Escanaba Company*, *Smith*, *Nashville*, etc., *Railway Company*, *Hennington*, and *Solan* cases, and certain expressions in the opinion in some of them, may mislead one as to the nature of that power or the subject of it, if he is not careful. The legislation involved in those cases and held valid was as follows, to wit: In the *Sherlock* case, the Indiana wrongful death statute in its applicability to owners of steamboats engaged in interstate commerce; in the *Escanaba Company* case, the Chicago bridge ordinance, providing that the draws in the bridge across Chicago River should be closed at certain times in the day, and not kept open longer than ten minutes at other times; in the *Smith* case, the Alabama statute requiring locomotive engineers to be examined and licensed in its applicability to such engineers engaged in interstate commerce; in the *Nashville*, etc., *Railway Company* case, the Alabama statute prohibiting employment in certain capacities by railroad companies of persons afflicted with color blindness, in its applicability to such companies when engaged in interstate commerce; in the *Hennington* case, the Georgia statute prohibiting the operation of railway trains on Sunday in its applicability to such as were so engaged; and, in the *Solan* case, the Iowa statute prohibiting contracts by railroad companies to exempt them from liability as a common carrier in its applicability to such companies when so engaged.

These decisions may so mislead one as to the nature of said power or the subject of it that if he does not duly consider them he may think that it follows, from the fact that it has been held thereby that a State legislature has power to enact such legislation, that Congress has no power to enact similar legislation. He will naturally so think, if he has the idea that in no state of case can a State legislature enter the field of interstate commerce or its adjuncts—that, so far as that field can be occupied at all by legislation, it can only be occupied by Congressional legislation, and properly so, if such idea is correct. For if in no state of case can a State legislature enter such field, a decision that particular legislation enacted by it is valid, necessarily means that it does not by its enactment enter it, and, if by its enactment it does not enter that field, Congress by the enactment of similar legislation would not enter it either, and hence its action would be beyond its power. But that idea is not correct. It is not true that in no state of case can a State legislature enter the field of interstate commerce or its adjuncts. The commercial provision of the Federal Constitution does not in terms exclude the several States from the field of interstate commerce and its adjuncts. It simply confers on Congress power to enter it.

Judge Cochran then quoted from a number of the cases cited in support of the right of the State to legislate so as to affect commerce until Congress acts in the matter. Of these quotations, one from the opinion delivered by Justice Field in the *Nashville*, etc., *Railway Company* case may be taken as representative:

“It is conceded that the power of Congress to regulate interstate commerce is plenary; that, as incident to it, Congress may legislate as to the qualifications, duties, and liabilities of employees and

others on railway trains engaged in that commerce; and that such legislation will supersede any State action on the subject. But, until such legislation is had, it is clearly within the competency of the States to provide against accidents on trains whilst within their limits."

Concluding these citations, the court said:

It does not follow, then, from the decisions in those cases, that Congress has no power to enact similar legislation to that involved therein. On the contrary, it follows therefrom—the validity thereof depending on the implied consent of Congress—that it has power to enact similar legislation; and this is expressly recognized in the quotations I have made from the opinions embodying those decisions. Viewed in this light, these decisions, instead of misleading one as to the nature of said power or its subject, will be helpful in enabling one to arrive at a true notion in regard thereto.

Then, as to the expressions in some of said opinions which may mislead one, I have in mind such expressions as that in the quotation made from the opinion of Mr. Justice Gray, in the *Solan* case, contained in these words, to wit:

"They are not in themselves regulations of interstate commerce."

And as that in the quotation from the opinion of Mr. Justice Harlan in the *New York, New Haven and Hartford Railroad Company* case, contained in these words, to wit:

"Nor is it within the meaning of the Constitution a regulation of commerce, although it controls in some degree the conduct of those engaged in such commerce."

Substantially similar expressions may be found in the opinion of Mr. Justice Matthews in the *Smith* case, in these words, to wit:

"But the provisions on the subject contained in the statute of Alabama under consideration are not regulations of interstate commerce. It is a misnomer to call them such."

And, again:

"They are not per se regulations of such commerce. It is only when they operate as such in the circumstances of their application, and conflict with the expressed or presumed will of Congress enacted on the subject, that they can be required to give way to the supreme authority of the Constitution."

And in the opinion of Mr. Justice Harlan, in the *Hennington* case, where he speaks of such local laws not being, "within the meaning of the Constitution and considered in their own nature, regulations of interstate commerce, simply because for a limited time, or to a limited extent, they cover the field occupied by those engaged in such commerce."

Such expressions can not be construed to mean that such legislation, if enacted by Congress, as to interstate commerce or its adjuncts, would not be regulations thereof. Congress would not have power to enact them unless they were. The fact that Congress has power to so enact them, according to the conclusion heretofore reached, settles the fact that they would be such regulations if so enacted. We are now in position to appreciate the value of the decisions which we have been considering in extenso in their bearing on the nature of the commercial power of Congress. The legislation involved therein, if enacted by Congress as to interstate commerce and its adjuncts,

would affect them directly. It would relate thereto, act upon, and touch them, and such would be the subject thereof. And it follows that the nature of that power is to enact legislation that will do and be this.

We come, then, to the first line of decisions cited and relied on by defendant's counsel as bearing out their claim as to the nature of the commercial power of Congress, and which, I think, bear out the statement which I have put forward as to the nature thereof. As they have to do with Congressional legislation, it is to be expected that they will settle beyond question the true nature of that power, and in this we will not be disappointed. The exact question in each of those cases was, not whether Congress might enact any particular legislation under its commercial power, but whether the contract involved therein was in restraint of interstate commerce within the meaning of said antitrust act, and prohibited by it. That act, however, depended for its validity on said power of Congress, and its meaning—the kind of contracts intended to be covered thereby—was treated in those cases as dependent on the nature of that power. It was held that it covered contracts that affected interstate commerce directly, that related thereto, acted upon and touched it, and of which it was the subject, and did not cover contracts that affect it indirectly only, and which did not relate thereto, act upon, or touch it, or of which it was not the subject.

In the Knight case the contract involved affected directly the manufacture of sugar in the State of Pennsylvania. It related to, acted upon, and touched it, and such manufacture was the subject thereof. It affected interstate commerce indirectly only. It did not relate thereto, act upon, or touch it, and such commerce was not the subject of it. It was held not within the act. In the Hopkins and Anderson cases the contracts involved were between the members of certain live-stock exchanges doing business in Kansas City, Mo., embodied in certain rules thereof. Those contracts affected directly the buying and selling of live stock at the stock yards in said city. They did not relate to interstate commerce on live stock, and affected it indirectly only. They were held to be not within the act. In the Trans-Missouri Freight Association, Joint Traffic Association, and Northern Securities Company cases, the contracts involved were between common carriers engaged in interstate commerce. In the Addyston Pipe Steel Company case the contract involved was between persons engaged in interstate commerce in iron pipe. And in the Swift and Company case the contract involved was between persons engaged in interstate commerce in meat. The contract in each instance affected directly the interstate commerce carried on by the parties thereto. It related to such commerce, acted upon, and touched it, and such commerce was the subject thereof. It was held in each instance that the contract was within the act.

It follows from these holdings that the nature of the commercial power of Congress is as I have stated it. Legislation prohibiting contracts that affect interstate commerce or its adjuncts indirectly, or which do not relate thereto, act upon, or touch either, or of which such is not the subject, itself, affects interstate commerce or its adjuncts indirectly, and does not relate thereto, act upon, or touch them, and such is not the subject thereof. It is only legislation prohibiting contracts that affect interstate commerce or its adjuncts directly, or that

relate thereto, act upon, or touch either, or of which such is the subject, that itself affects interstate commerce or its adjuncts directly and relates thereto, acts upon, and touches them, and of which such is the subject. In the course of his opinion, in the Addyston Pipe and Steel Company case, Mr. Justice Peckham frequently refers to contracts within said act as those regulating said commerce directly and substantially, and not those regulating it indirectly, remotely, incidentally, and collaterally. It is this reference, no doubt, that suggested the position taken here as to the nature of said power which I have criticised. There are, however, other references in said opinion which show that what he had in mind was the distinction between contracts and legislation that affected interstate commerce directly, and contracts and legislation that affected it indirectly, which is the correct way, as I submit, of putting the matter.

I have thus arrived at the conclusion as to the nature of the power in question by a generalization of the two lines of decisions cited and relied on by defendant's counsel, as upholding their view thereof. The generalization might have taken a wider scope by embracing the great number of other decisions involving the validity of State legislation claimed to be an encroachment on the commercial power of Congress not cited or relied on; but to have done so would not have changed the result and unduly lengthened this opinion.

There are not many other decisions of the Supreme Court involving the validity of Congressional legislation, whose validity was dependent on that power, that can be considered at arriving at such a conclusion. Until lately, legislation in any way affecting interstate commerce or its adjuncts has been enacted principally by State legislatures. There has not been a great amount of Congressional legislation affecting that matter. It is only in recent times that it has become, to any great extent, the subject of Congressional consideration and action. It is just what one would expect, therefore, to find that there are not many decisions of that court dealing with the validity of such legislation. Outside of those already considered, I do not deem it important to make any reference to any such decisions beyond the case of *Johnson v. Southern Pacific*, 196 U. S. 1, 25 Sup. Ct. 158 [Bulletin No. 56, p. 303]. It involved the safety appliance act of Congress of March 2, 1893, c. 196, 27 Stat. 531 [U. S. Comp. St., 1901, p. 3174]. The constitutionality of the act was assumed therein. It was not attacked. The decision was occupied entirely with its construction. The safety appliance act affected directly an adjunct of interstate commerce, to wit, the cars engaged therein, and that as to their couplers. It related thereto, acted upon, and touched it, and such was the subject thereof.

I am aware that the classic definition of the power in question is to be found in the words of Mr. Chief Justice Marshall, in the case of *Gibbons v. Ogden*, when he said that the power to regulate commerce is the power "to prescribe the rule by which commerce is to be governed," often subsequently repeated in subsequent decisions of the Supreme Court in substantially the same words. Mr. Justice Harlan, in the case of *Champion v. Ames*, 188 U. S. 321, 23 Sup. Ct. 321, 47 L. Ed. 492, characterized it as a "general observation." What I have advanced is simply the outcome of a struggle after something more definite. After the great number of decisions of that court involving State and Congressional litigation affecting interstate commerce and its adjuncts, the matter ought to be capable of

more definite statement. A true generalization thereof is bound to give it.

Having thus reached a conclusion as to the nature of the power in question, we come to the other position of defendant's counsel, to wit, that said section is not within said power; and in disposing of it I will treat its nature as I have defined it, and not as they have. Does it affect interstate commerce, or any of its adjuncts, directly? Does it relate thereto, act upon, or touch either, or is either the subject of it? It must be admitted that it does, and that such is the case. It affects an adjunct of interstate commerce, relates thereto, acts upon, and touches it, and such is the subject of it. That adjunct is common carriers engaged in interstate commerce, and their officers, agents, and employees. It forbids them from doing any of the things covered by that section.

But it may be thought that it is not sufficient that Congressional legislation should affect an adjunct of interstate commerce directly, relate thereto, act upon, or touch it, or that it be the subject thereof in order to be valid. To this end it must serve some useful purpose in regard to interstate commerce itself, and not be intended to and in fact accomplish no more than some ulterior purpose. I am not prepared to say that such a view is not correct. There is nothing in the Johnson case impugning its correctness. Of course, the requirement as to providing couplers was and is beneficial to the manufacturers thereof and to brakemen; but it is beneficial also to interstate commerce itself. It makes it more attractive for brakemen to engage therein, by lessening the danger of the business. The necessities of this case do not require that I should dispute the correctness of this view. The section involved herein is not without a beneficial effect upon interstate commerce itself. Its tendency is to prevent an interruption to interstate commerce by reason of strikes, lockouts, and boycotts, and such, as I have already stated, was its intent.

Until recent times, the national attitude toward interstate commerce has been almost solely to prevent its being burdened and interrupted. Such has been the controlling consideration in determining the validity of State legislation affecting it or its adjuncts.

In the case of *United States v. Coombs*, 12 Pet. 72, 9 L. Ed. 1004, the question involved was whether one could be indicted under the act of Congress entitled "An act more effectually to provide for the punishment of certain crimes against the United States, and for other purposes," approved March 3, 1825, for stealing a quantity of merchandise belonging to a ship wrecked on the coast of New York; the goods at the time they were stolen being above high-water mark, and hence outside of the jurisdiction of the United States. It was held that he could. Mr. Justice Story said:

"It [commercial power of Congress] does not stop at the mere boundary line of a State; nor is it confined to acts done on the water, or in the necessary course of the navigation thereof. It extends to such acts done on land which interfere with, obstruct, or prevent the due exercise of the power to regulate commerce and navigation with foreign nations and among the States. Any offense which thus interferes with, obstructs, or prevents such commerce and navigation, though done on land, may be punished by Congress under its general authority to make all laws necessary and proper to execute their delegated constitutional powers. No one can doubt that the various

offenses enumerated in the tenth section of the act are all of a nature which tend essentially to obstruct, prevent, or destroy the due operation of commerce and navigation with foreign nations and among the several States."

In the case of *In re Debs*, 158 U. S. 565, 15 Sup. Ct. 900, 39 L. Ed. 1092, it was held that the United States, through its Attorney-General, had a right to bring a suit to enjoin the interruption of interstate commerce caused by the Chicago strike of 1894.

The antitrust act of 1890 is another manifestation of this national attitude, and there would seem to be no room to doubt that the tenth section of the act of June 1, 1898, involved herein, is a still further manifestation thereof.

The ground upon which it is claimed by defendant's counsel that said section does not affect directly or, as they have it, regulate directly that which is the subject of the commercial power of Congress, and hence is not within it, is that "it is merely an intermeddling by Congress with the private relations between master and servant." But it does not deal with the relations between master and servant in the abstract. It deals with the relations between particular masters and servants, to wit, common carriers engaged in interstate commerce and their employees. Such carriers and their employees are the adjuncts of such commerce. Hence said legislation affects those adjuncts directly. It relates thereto, acts upon, and touches them, and they are the subjects thereof. This being so, it is within that power. I conclude, therefore, that said section is not unconstitutional for this reason.

Another reason given in support of the claim that said section is unconstitutional is that, however it may be as to its being within the commercial power of Congress, it is prohibited by the fifth amendment to the Federal Constitution, in so far as it provides that no person shall "be deprived of life, liberty or property without due process of law." In other words, it is claimed that that portion of said amendment is a limitation upon the commercial power of Congress, and, though said section comes within the latter, it comes within the former also. It must be conceded that, if this position is correct, then said section is unconstitutional.

Defendant's counsel cite in support of his position the following decisions of the highest courts of the States of Missouri, Illinois, Wisconsin, and New York, to wit: *State v. Julow*, 129 Mo. 163, 31 S. W. 781; *Gillespie v. People*, 188 Ill. 176, 58 N. E. 1007; *State v. Kreutzburg*, 114 Wis. 530, 90 N. W. 1098; *People v. Marcus*, 77 N. E. 1073, 185 N. Y. 257. In each of these cases a State statute was involved substantially similar to said tenth section, in making it an offense for an employer to discharge or refuse to employ an employee because of his membership in a labor organization. In those cases they were sought to be enforced against persons engaged in private business—in the Missouri and New York cases against a manufacturer, and in the Illinois case against a contractor. It does not appear in what business the defendant was engaged in in the Wisconsin case. In each case the statute was held to be unconstitutional, as in violation of certain provisions of the State constitution and of the fourteenth amendment of the Federal Constitution, in so far as it prohibited State action depriving any person of life, liberty, or property without due process of law.

Counsel for the United States contend that said decisions are erroneous. They maintain that such statutes do not deprive the employer of any lawful right; that they simply protect the rights of employees against invasion by the employer; and that the alleged right of the employer is a right to interfere with the liberty of his employees because they are in his service. This argument merely begs the question. No decision is cited to the contrary of those decisions, except a *nisi prius* decision in the case of *Davis v. State*, 30 Wkly. Law Bul. 342. I am not disposed to question the correctness of those decisions. On the contrary, they seem to me based upon sound reasoning. As said by Cooley on Torts, 278:

"It is a part of every man's civil rights that he be left at liberty to refuse business relations with any person whomsoever, whether the refusal rests upon reason or is the result of whim, caprice, prejudice, or malice. With his reasons, neither the public nor third persons have any legal concern."

But it does not follow from the correctness of these decisions that section 10 is unconstitutional, though it seems quite plausible that, if State legislation of this character is unconstitutional as being in violation of the fourteenth amendment, prohibiting State action depriving any person of life, liberty, or property without due process of law, said tenth section is unconstitutional also, as being in violation of the fifth amendment, prohibiting Federal action depriving a person of life, liberty, or property without due process of law. The question may be thought to depend upon whether said fifth amendment is a limitation upon the commercial power of Congress conferred by subsection 3, section 8, article 1, of the original Constitution.

In the case of *Gibbons v. Ogden*, Mr. Chief Justice Marshall, in the language heretofore quoted, said:

"This power, like all others vested in Congress, is complete in itself, may be exercised to its utmost extent, and acknowledges no limitations other than are prescribed in the Constitution."

This language is repeated several times in subsequent cases. It would seem to imply that limitations on said power are to be found in the Federal Constitution. I have found nowhere any statement as to what limitations thereon are to be found therein. Nor have I taken the time to study the Constitution with the view of ascertaining for myself those limitations. But it would seem to be reasonable to hold that said amendment is a limitation on said power.

In the case of *United States v. E. C. Knight Co.*, 156 U. S. 1, 15 Sup. Ct. 249, 39 L. Ed. 325, Mr. Justice Harlan, in his dissenting opinion said:

"In committing to Congress the control of commerce with foreign nations and among the several States, the Constitution did not define the means that may be employed to protect the freedom of commercial intercourse and traffic established for the benefit of the people of the Union. It wisely forbore to impose any limitations upon the exercise of that power, except those arising from the general nature of the Government, or such as are embodied in the fundamental guaranty of liberty and property."

It would hardly be held that it was not a limitation on the commercial power of Congress in the matter of depriving a person of his property without due process of law.

In the case of *Monongahela Nav. Co. v. United States*, 148 U. S. 336, 13 Sup. Ct. 630, 37 L. Ed. 463, Mr. Justice Brewer said:

"But, like the other power granted to Congress by the Constitution, the power to regulate commerce is subject to all the limitations imposed by such instrument, and among them is that of the fifth amendment we have heretofore quoted. Congress has supreme control over the regulation of commerce, but if, in exercising that supreme control, it deems it necessary to take private property, then it must proceed subject to the limitations imposed by this fifth amendment, and can take only on payment of just compensation. The power to regulate commerce is not given in any broader terms than that to establish post-offices and post-roads; but, if Congress wishes to take private property upon which to build a post-office, it must either agree upon the price with the owner, or in condemnation pay just compensation therefor."

If Congress were to pass a law reducing the rates for interstate transportation of passengers or goods to such a point as to amount to a confiscation of the property of a common carrier engaged therein, there can be no question that such a law would be held to be affected by the fifth amendment. If, then, said amendment limits said power in the matter of depriving a person of his property without due process of law, no reason can be given why it should not be held to limit said power in the matter of depriving a person of his liberty without due process of law.

Yet it has been held in the cases heretofore considered in which the antitrust act of 1890 has been applied, that it does not limit said power of Congress in prohibiting contracts in reasonable restraint of interstate commerce, whether made by common carriers or others engaged therein. The liberty of private contract in this particular is held not to be preserved by said amendment as against the commercial power of Congress. In the *Addyston Pipe and Steel Company* case, Mr. Justice Peckham said:

"The provision in the Constitution does not, as we believe, exclude Congress from legislating with regard to contracts of the above nature, while in the exercise of its constitutional right to regulate commerce among the States. On the contrary, we think the provision regarding the liberty of the citizen is to some extent limited by the commerce clause of the Constitution."

But, conceding, as I think we must do, that said amendment is a limitation, to a certain extent at least, upon the commercial power of Congress, in so far as it prohibits a deprivation of liberty without due process of law, is the legislation in question a deprivation of such liberty within the meaning thereof, and hence unconstitutional? This depends entirely upon what liberty is intended to be protected thereby. It is certainly not the liberty to do what one pleases that is thereby protected from invasion by Congress under its commercial power. We have just seen that the liberty of making reasonable contracts in restraint of interstate commerce are not so protected. Congress, under its commercial power, notwithstanding said amendment, had the right to enact the antitrust act of 1890 which has been construed to prohibit the making of such contracts, or of any contracts that directly affect by way of restraint such commerce. In the case of *Champion v. Ames*, 188 U. S. 357, 23 Sup. Ct. 327, 47 L. Ed. 492, it was held that the act of Congress, prohibiting the transportation

of lottery tickets from one State to another by an express company, was valid under said commercial power, notwithstanding said amendment. Mr. Justice Harlan there said:

“But surely it will not be said to be a part of anyone’s liberty, as recognized by the supreme law of the land, that he shall be allowed to introduce into commerce among the States an element that will be confessedly injurious to the public morals.”

In view of these decisions, one must conclude that it is only a liberty that it is reasonable and proper that should not be subject to invasion by Congress under its commercial power that is protected therefrom by said amendment. The matter here, then, comes to this: Is the liberty of a common carrier engaged in interstate commerce to discharge an employee, or to refuse to employ him, because of his membership in a labor organization, such a liberty as that it is reasonable and proper that it should not be interfered with by Congress under its commercial power? We have seen that it has been held that the liberty of one engaged in what may be characterized as a lawful private business to so act is such that it is reasonable and proper that it should not be invaded by State legislation, and that it is protected by the fourteenth amendment; but it does not follow from this that the liberty of such a common carrier to so act is such that it is not reasonable or proper that it should be invaded by Congress under its commercial power. A person engaged in a lawful private business and a common carrier engaged in interstate commerce occupy entirely different positions. The former has a fundamental right upon his own choice to engage in and carry on such business. The latter has no such right. It exercises a public function, and has no right to exercise it except by consent of the National Government, express or implied.

The position that a common carrier, such as a railroad for instance, exercises a public function, is upheld by frequent statements in the opinions of the Supreme Court. In the case of *Charlotte, C. & A. R. Co. v. Gibbes*, 142 U. S. 386, 12 Sup. Ct. 255, 35 L. Ed. 1051, Mr. Justice Field said:

“Though railroad corporations are private corporations, as distinguished from those created for municipal and governmental purposes, their uses are public. They are formed for the convenience of the public in the transportation of persons and merchandise, and are invested for that purpose with special privileges. They are allowed to exercise the States’ right of eminent domain, that they may appropriate for their uses the necessary property of others upon paying just compensation therefor, a right which can only be exercised for public purpose, and they assume, by the acceptance of their charters, the obligations to transport all persons and merchandise upon like conditions and at reasonable rates, and they are authorized to charge reasonable compensation for the services they thus perform.”

A number of additional quotations of like import were made, concluding with one from the case last above cited, as follows:

“Being the recipients of special privileges from the State to be exercised in the interest of the public, and assuming the obligations thus mentioned, their business is deemed affected with a public use, and to the extent of that use is subject to legislative regulation. *Georgia Railroad and Banking Co. v. Smith*; 128 U. S. 174, 179, 9 Sup. Ct.

47, 32 L. Ed. 377. That regulation may extend to all measures deemed essential not merely to secure the safety of passengers and freight, but to promote the convenience of the public in the transaction of business with them, and to prevent abuses of extortionate charges and unjust discrimination. It may embrace a general supervision of the operation of their roads, which may be exercised by direct legislation commanding or forbidding, under severe penalties, the doing or omission of particular acts, or it may be exercised through commissioners specially appointed for that purpose. The mode or manner of regulation is a matter of legislative discretion."

The court then said:

If this line of reasoning is sound, then said section is not within the fifth amendment. It is not reasonable or proper that the liberty of action of a common carrier engaged in interstate commerce in the particulars covered thereby should be beyond the control of Congress under its commercial power. It is not such liberty of action as is protected thereby against the exercise of said power, in that it is action calculated to provoke strikes, boycotts, and lockouts, and cause an interruption and cessation of interstate commerce. The one particular, more than any other, in which such common carrier's liberty of action seems to be within the control of Congress under its commercial power, is in doing that which will, or may, obstruct such commerce. As we have seen, Congress has power to prevent obstruction thereof by contracts reasonably restraining it, entered into between competing common carriers, and so great is its power here that it can prohibit such contracts when made by persons not exercising any public function. Had the United States itself exercised this public function, there can be no question that legislation of this character affecting officials would be entirely legal. There is no reason why the fact that it has intrusted its performance to a private corporation should make any difference. The only possible ground for holding that said section is in violation of the fifth amendment is that it has no real and substantial relation to the free course of interstate commerce. I believe that it has such relation thereto. At the very least, I can not say that it has not. I am constrained, therefore, to hold that said section is not unconstitutional for this reason.

Still another reason urged in support of the position that said section is unconstitutional is that it penalizes a common carrier engaged in interstate commerce for discharging an employee because of his membership in a labor organization, or otherwise discriminating against him on that ground, without reference to the fact whether he is engaged in interstate commerce or solely in intrastate commerce. This court takes judicial knowledge of the fact that the Louisville and Nashville Railroad Company, a common carrier engaged in interstate commerce, and whose master mechanic is charged with a violation of said section in the indictment herein, operates trains over its railroad solely in Kentucky. It operates such trains between Louisville and Lexington, and between Lexington and Maysville, and possibly elsewhere. It is claimed that by said section it is made an offense for said company, or any officer, agent, or employee thereof, to discharge or otherwise discriminate against an employee so engaged solely upon any of said intrastate trains, because of such membership; that it is penalized by the very same words that such discriminating action as to an employee

engaged in interstate commerce is penalized; that I have no power to limit this broad language to employees not engaged on intrastate trains; and that therefore the whole section must fall. The cases of *United States v. Steffens* (The Trade-Mark cases), 100 U. S. 82; U. S. *v. Harris*, 106 U. S. 629; and *Baldwin v. Franks*, 120 U. S. 678, 7 Sup. Ct. 656, 763, are cited in support of the next to the last of these several propositions. To the same effect are the following cases, to wit: *Allen v. Pullman Co.*, 191 U. S. 171, 24 Sup. Ct. 39; *Illinois Central R. Co. v. McKendree*, 27 Sup. Ct. 153, 203 U. S. 514.

Of course the doctrine of those cases must be accepted as sound; but they have no application here. It is not likely that the employees of a railway common carrier engaged in interstate commerce, employed solely upon intrastate trains, do not have anything to do in the course of their employment with interstate commerce, i. e., that such employees, though exclusively so engaged, are not in reality also adjuncts of interstate commerce. It is so unlikely that I would not be disposed to overthrow the section in question, if such fact would render it unconstitutional, without further information that such was the case. Said section was enacted in view of existing conditions, and its validity would not be affected by an imaginary, as distinguished from a real, state of things. Take, for instance, the intrastate trains of the Louisville and Nashville Railroad Company, operating between Louisville and Lexington and between Lexington and Maysville. That company operates no interstate trains over said portions of its railroad. In consequence said intrastate trains do an interstate commerce business, and, no doubt, a very large business of that character. Frequently, if not always, the intrastate freight trains operated thereon have on them interstate cars passing between points thereon and points on its Memphis, Nashville, and Knoxville branches to the south of Kentucky. The same is true as to the intrastate passenger trains operated thereon. Beyond question they do a large interstate passenger and express business between said points. Undoubtedly there is a breakage in the passage at Louisville and Paris, but the passage is under one contract and for continuous service. The employees on such trains, therefore, though adjuncts of intrastate commerce, are at the very same time adjuncts of interstate commerce. If, then, Congress, under its commercial power, has no right to penalize a common carrier of interstate commerce for such discriminating action, save only as to interstate employees, the fact that said section applies to such employees who are also intrastate employees can not invalidate it.

In the case of *The Daniel Ball*, 10 Wall. 557, 19 L. Ed. 999, Mr. Justice Field said:

"The fact that several different and independent agencies are employed in transporting the commodity, some acting entirely in one State and some acting through two or more States, does in no respect affect the character of the transaction. To the extent in which each agency acts, in that transportation, it is subject to the regulation of Congress."

The only likelihood of an intrastate train of an interstate carrier not doing any interstate business under any circumstances would be where such train was operated over that portion of the road over which interstate trains ran also. But, again, if it be conceded that there is such a thing in this country as employees of a common carrier engaged in interstate commerce, who are adjuncts solely of intrastate

commerce, and that to invalidate an act of Congress penalizing such discriminating action toward such employees would be unconstitutional, there is room to hold that the section in question admits of a construction limiting its application to employees who are wholly, or partially, adjuncts of interstate commerce, notwithstanding the sweeping language in the first section, providing that "the term employees as used in this act, shall include all persons actually engaged in any capacity in train operation or train service of any description." It is a cardinal rule of construction that where legislation admits of two constructions, one of which would uphold and the other invalidate it, the former will be adopted. Such a construction may be justified by the evident intent of Congress to be drawn from its title and all its provisions to keep within its commercial power.

There is nothing in any of said decisions relied on here against such a position. I understand the indictment to charge that Coppage, the employee, who it is alleged was discriminated against was an employee engaged in interstate commerce. But it is not entirely clear that an act of Congress, penalizing such action toward such employees, would be unconstitutional. It would not be the action of a common carrier engaged in intrastate commerce, that would be so penalized, but the action of a common carrier engaged in interstate commerce, who also did an intrastate business. Such action toward an employee engaged in the intrastate department of its business would be as likely to cause an interruption in or embarrassment of its interstate department as like action toward an employee engaged in the latter.

In the case of *Gibbons v. Ogden*, Mr. Chief Justice Marshall said:

"The genius and character of the whole Government seems to be that its action is to be applied to all the external concerns of the nation, and to those internal concerns which affect the States generally, but not to those which are complied within a particular State, which do not affect other States, and with which it is not necessary to interfere for the purpose of execution, of some of the general powers of the Government. The completely internal commerce of a State, then, may be considered as reserved to the State itself."

And, again:

"It is obvious that the Government of the Union, in the exercise of its express powers (that, for example, of regulating commerce with foreign nations and among the States), may use means that may also be employed by a State, in the exercise of its acknowledged power (that, for example, of regulating commerce within the State). If Congress license vessels to sail from one port to another, in the same State, the act is supposed to be necessarily incidental to the power expressly granted to Congress, and implies no claim of a direct power to regulate the purely internal commerce of a State, or to act directly on its system of police."

It seems to me, therefore, that the section in question herein is not unconstitutional for this reason: A final reason urged in support of the contention that it is unconstitutional is that it is class legislation, in that it confers privileges upon union labor that are not conferred upon nonunion labor. In other words, the claim is that it denies to nonunion labor the equal protection of the laws. But I find no provision in the Federal Constitution prohibiting class legislation, i. e., prohibiting Congress from denying one the equal protection of the

laws. The provision in the fourteenth amendment applies only to State action amounting to such denial.

I would not, however, commit myself to the proposition that Congress can deny one the equal protection of the laws. It is too serious a matter to dispose of upon the very slight consideration which I have given the matter. The necessities of this case do not require that I should dispose of this question herein. The section in question does not come within such a prohibition, even if there was one affecting Congressional action. Such a prohibition would not prevent all discrimination, but only such as was arbitrary and not reasonable; that is, not based on some reason of public policy. The discrimination here, so far as it exists, is based on a reason of public policy. The purpose of the legislation, as we have seen, was to prevent an interruption of interstate commerce. The discriminating action on the part of a common carrier engaged in interstate commerce toward an employee prohibited by the section is liable to bring about such an interruption. Like discriminating action toward an employee who is not a member of a labor organization is not liable to produce any such result. There is nobody to back him up in his complaints and demands, or means by which he can bring about such interruption.

It will not do to overlook the fact that Congress in enacting the legislation in question viewed it, not from the standpoint of the labor organization, but from its own. That standpoint was the interest of interstate commerce committed to its charge by the Federal Constitution. This reason, then, does not meet my approval. I am constrained to hold, therefore, that said section is constitutional. In disposing of the question I have borne along with me two general considerations: One is that I am not concerned with the policy of said legislation—only with its constitutionality. The other is that I have no right to hold an act of Congress unconstitutional, unless it is clearly so. It seems to me that these two considerations, in connection with those handled in detail, are sufficient to demand of me that I uphold said law.

DECISIONS UNDER COMMON LAW.

INJUNCTION — BOYCOTTING — PICKETING — COMPETITION IN EMPLOYMENT OF LABOR—*George Jonas Glass Company v. Glass Bottle Blowers' Association, Court of Chancery of New Jersey, 66 Atlantic Reporter, page 953.*—The glass company prayed for an injunction against the association named and its officers, who were engaged in an attempt to compel the company to unionize its plant. This effort had been maintained for a number of years, and a boycott (which had been declared unlawful by the court) had largely interfered with the business of the company. A number of the employees joined the union and went out on a strike in 1899. New workmen were obtained, about 300 of whom were induced to go on strike in April, 1902, which strike has been maintained since that time under the direction and management of some of the principal officers of the association. At the beginning of this strike a lot of land was leased at Minotola, near the factory of the complaining company, on which

a tent was erected. This was afterwards replaced, at the expense of the association, by a substantial wooden structure, in which the strikers congregated, as they had previously done in the tent. Other facts appear in the opinion.

Vice-Chancellor Bergen, who delivered the opinion of the court, allowed the injunction prayed for, on grounds which appear in the portion of his remarks reproduced herewith. Having first stated the facts set forth above, he said:

The present proceeding was instituted by the complainant to have the defendants among whom are numerous of its former workmen, enjoined from boycotting its business; inducing its employees by threats, intimidation, force, violence, or the payment of money to refuse to perform their duties or leave its service, or, by like methods, preventing those who desire to do so from entering its employment, and also from using indecent and opprobrious epithets to its officers and employees; from collecting singly or in combination with others with the intention of picketing the public highways leading to its factory for the purpose of inducing laborers not to take employment with it; from gathering at railroad stations at or near complainant's works, and inducing or attempting to induce persons arriving at such stations seeking employment at complainant's factory from so doing, and generally from bribing or intimidating workmen to refrain from entering complainant's employment, or inducing those who are employed to leave.

The principal officers of the defendant association have been called, and they all deny that they instigated the strike; but such denials have little weight when considered in connection with their previous and subsequent conduct, for it is quite clear from the evidence that months before the strike occurred they had been engaged in an effort to bend complainant to the will of their association, and employed all the resources of a rich, powerful, and well-organized society to deprive the complainant of a market for its goods, and to accomplish the destruction of its business in default of its submission to their will, when failing in such efforts, this strike was declared a strike which the officers of this association are immediately found to be directing and controlling, and in furtherance of which the association for a long period, if not to the present time, has paid the wages not only of the men who left the factory, but of strangers brought from other places to lead and direct the strikers. The first demonstration after the strike was declared was a parade led by the defendant Doughty, the vice-president of the association, preceded by a band of music, and Mr. Hayes, the president of the association, was so promptly on the ground that the suspicion is justified that he had knowledge of what was coming. The testimony of the witness Edward C. Rush shows that some time prior to this strike meetings of the workmen were held at Vineland, which he attended, and that the defendants Doughty and Launer, another officer of the association, were present at different times and addressed the meetings, advising the men to organize and keep still about it, and that "they would take care of them and pay them good wages if they went out." I am satisfied from the evidence that this strike was promoted by the officers of this association in pursuance of their con-

ceived scheme to compel the complainant to unionize its factory. I believe that Mr. Hayes told the truth when he testified that he had no interest in the workmen before the strike, because they had taken the places of other strikers, and am satisfied that he used these men as a means to accomplish his long-cherished purpose; that it was a war of conquest, not for the relief of the downtrodden, as he now seeks to convince us; and that the officers of this association are as directly responsible for the acts of violence and unlawful conduct of these men as if they had actually participated in each of them. I give little credit to, and have no respect for, men who inaugurate a movement which they know they can not control, and then seek to excuse themselves because they have advised, as they say, a body of men, many of them ignorant Italians, against the doing of unlawful acts, when common sense and ordinary experience teaches that a body of idle workmen, called together at a common rendezvous, such as this association provided, pay no attention to moral precepts communicated for the purpose of being used as a defense when called upon to respond for the acts of a disorderly mob. If these men had been advised to return to their homes and act as orderly law-abiding citizens, simply exercising their right to quit work, a different situation would have been presented, but, on the contrary, they were gathered at a place provided by the officers of the defendant association for no possible reason except to make a show of force, the known effect of which would be to arouse the fears of others desiring to remain at work, or to take the places of those who had left, and whose continued employment would endanger the success of the result sought to be accomplished. The parties who start a conflagration are, and should be, responsible for its consequences.

The testimony in this case is too voluminous to permit of a particular analysis. It is enough to say that I find that acts of violence were committed; that terror reigned in this village for several days; that peaceable citizens seeking to obtain work were met on the public highways by large bodies of these strikers and turned back; that persons seeking to move into the town were stopped on the public highway, and only permitted to proceed through the interference of a peace officer; that private dwellings were visited by bands of men for the purpose of deterring persons desiring to continue work from doing so; that one of the employees who returned to work was assassinated, all attempts to discover the perpetrator being futile, because of the conditions existing, and all of this done, it is claimed, in the interest of organized labor, a claim which, in my judgment, no class of men will be more swift to repudiate than the fair-minded members of the labor organizations of the country.

A part of the argument submitted by counsel relates to the question whether the laborers were justified in striking. With that question I conceive the court has nothing to do. Men have a right to cease work whenever they choose, with or without a reason. If they violate a contract, the master has his legal remedy in damages; and so long as workmen abandoning work disperse and behave as quiet orderly citizens, they are only exercising their rights, but when by force, or intimidation they undertake to deter those who are willing to work from so doing, they violate the law of the land. On the argument counsel for the defendants admitted that violence, intimidation, and all unlawful interference with persons seeking employ-

ment with the complainant was an illegal infringement of its property rights, and rested their defense on this branch of the case upon a denial that the conditions which I have found to exist did exist, and I have no hesitation in declaring that such conduct should be restrained.

There is still another branch of this case to be considered, and that is the placing of men, two or three in number, on the highways leading into Minotola, for the alleged purpose of peaceably persuading laborers from seeking employment with the complainant. After very carefully considering this question, I am of opinion that the complainant is entitled to have the defendants restrained from establishing or continuing such picketing, for the only purpose to be served is to intercept persons coming to seek employment with the complainant, and a court should judge of the right to maintain that sort of surveillance over a complainant's business, according to its evident intent and purpose. In its mildest form it is a nuisance, and to compel a manufacturer to have the natural flow of labor to his employment sifted by a self-constituted antagonistic committee whose very presence upon the highway for such purpose is deterrent is just as destructive of his property as is a boycott which prevents the sale of his product. As was well said by Judge McPherson, speaking for the United States circuit court: "There is and can be no such thing as peaceful picketing, any more than there can be chaste vulgarity, or peaceful mobbing, or lawful lynching." (Atch., T. & S. F. Ry. Co. v. Gee (C. C.), 139 Fed. 582-584.) The single object sought to be obtained by picketing is to prevent the complainant from continuing its business by depriving it of one of its essential necessities, namely, labor; for, if the picketing has not that object, the reason for maintaining pickets would not exist. That a person who has left his employer may approach another and, if he is willing to listen, tell him the truth regarding the conditions existing, does not meet the question being considered, because in this case there is a well-defined scheme in which a number of persons have joined to prevent the complainant from carrying on his business. It is not a case where the individual on his own behalf is taking his grievance to a willing listener, but a combination of men, backed by great wealth, conspiring to deprive the complainant of the means of carrying on its business, with the hope that it will ultimately be compelled to yield and surrender its property to the control of strangers, and any picketing which deprives a citizen of his property rights, which it is manifest the acts complained of in this case are intended to accomplish, is subversive of all law and order, and, if permitted to continue, will in the end destroy the prosperity and happiness of society. The defendants frankly admit that the purpose of picketing is to induce every person intending to seek employment with the complainant to refrain from doing so, and attempt to justify it upon the ground that they are competitors of the complainant in the labor market, and, being such, have the right to take from it all laborers that they can persuade to leave it, or refrain from entering its employ. Honest competition of such character is what every business man must submit to, but it must be competition and not a malicious intention to injure. Inducing the employees of a person to leave their employment, or others not to accept his employment, for the purpose of crippling his business, where the organization offering the induce-

ment is not engaged in any business, competitive or otherwise, and which has no need of the labor, and no reason for interfering beyond the avowed purpose of overthrowing the complainant, in the stand which it has taken against the demand of the organization, that it shall unionize its factory, is not the competition which the law recognizes or upholds; for "the result which they seek to obtain can not come directly from anything they do within the regular line of their business as workers competing in the labor market. It can only come from action outside of the province of workingmen, intended directly to injure another." (*Berry v. Donovan*, 188 Mass. 353, 74 N. E. 603, 5 L. R. A. (N. S.) 899, 108 Am. St. Rep. 499.)

It was urged on the argument that the proofs did not show that every defendant was guilty of some act of violence. It, however, appears that all of the defendants were a part of the combination to compel the complainant to unionize its factory. They did not leave their work and go to their homes, but congregated in large crowds, some participating in one act of violence, some in another; and it is impossible, in any ordinary way, to positively identify each member making up a mob of two or three hundred men. They were all at the headquarters provided by the association for the strikers; were all paid out of the funds of the association, and the strikers were under a written contract with the complainant to serve for a definite period, and all joined together in a body to disregard their written obligations. These acts show that a conspiracy was entered into by all of the defendants to compel the complainant to conduct its business under rules and regulations to which it was unwilling to submit, and the overt acts of some of the defendants in carrying out the object of the combination, having caused irreparable injury to complainant's property, all those who aided and abetted are equally responsible, and all should be enjoined, for the injunction can work no hardship, as it affects no right of property, or restrains the doing of any lawful act.

The complainant is entitled to an injunction against the defendant association and its officers, particularly the defendants Hayes and Agard, restraining it and them from persuading or inducing persons or corporations not to deal with it because it employs nonunion workmen, or refuses to be unionized, and against all of the defendants according to the prayer of the bill, except so much thereof as relates to the paying of money to the employees of the complainant who have left or may voluntarily leave its service.

LABOR ORGANIZATIONS—ENFORCEMENT OF UNION RULES—STRIKES—INJUNCTION—*Jetton-Dekle Lumber Company v. Mather*, *Supreme Court of Florida*, 43 *Southern Reporter*, page 590.—This case was before the supreme court on an appeal from the circuit court of Hillsboro County. The judge of the latter court had granted an injunction against strikers, members of various labor organizations affiliated as a "Building trades council," and on a hearing for a dissolution had continued the injunction with a certain modification. In its modified form the bill prohibited intimidation or coercion of any

sort against persons accepting employment with the plaintiff company, interference with the business of the company or with its employees, and boycotts or attempts to boycott its business. The modification secured allowed the unions to enforce their rules providing for the expulsion of such of their members as might incur the penalties prescribed for the violation of union rules, and it was on this point that the company appealed.

The opinion of the supreme court was delivered by Judge Cockrell, and sustained the views of the lower court, on grounds which appear in the following quotation:

Unquestionably an individual can stop work at any time without cause, being liable only for a breach of contract; and no element of contract as between the complainant and these defendants is alleged. Does the fact that more than one individual has quit work make a difference, under the circumstances above stated? We may assume that it is not universally true that many may do what one may lawfully do, though this must be said with reservation, and that a "conspiracy" may cause a wrong which one man, acting by himself, could not commit. But before the courts can punish or prevent a conspiracy, either the act conspired or the manner of its doing must be unlawful. Are not both alternatives absent in the case of a simple strike? It is certainly lawful to attempt by negotiation, or other peaceable, legitimate ways, to get higher pay for one's labor, and, if the demand is not met, to go elsewhere with one's labor, or to sit idle, if needs be, until satisfactory arrangements are made. Labor unions in and of themselves can not be said to be unlawful, and yet one of the prime objects of their existence is by combinations of the supply to regulate the demand. Some of the cases, particularly the English cases, stress the motive underlying the strike, and apparently hold that if the strike is to better the condition of the workman it is lawful, but if it be to punish the employer it is unlawful. If this be the correct delimitation, this case comes up to the rule. There is nothing personal to the complainant in the strike, but simply and entirely an endeavor to obtain advantage for the defendants.

No mandatory injunction is asked, and nothing can possibly be done as to those laborers who voluntarily left their work and are voluntarily remaining away; but, says the appellant, these various labor unions, under the modification, can use moral suasion, moral coercion, upon their respective members by fines and threats of expulsion. This was a risk voluntarily assumed by the members entering the unions, and if no longer willing to pay the price, if the advantages derived are not equal to the burdens assumed, each member has a perfect right to withdraw from the union, to seek to get back his former employment, and to be protected therein by the injunction still in force.

It can hardly be questioned that the decided weight, if not the universal rule, of the modern American cases, sustains the action of the circuit court in refusing to extend the effects of the injunction so as to include the peaceable enforcement by labor unions of their reasonable rules. [Cases cited.]

Is there any declared policy in this State to force us to put ourselves out of alignment with our sister States? Especially must this

be clear before we would interfere to lay the heavy hand of injunction where the circuit judge, more familiar than ourselves with the conditions confronting the city of Tampa, has refused to do so.

In *Chipley v. Atkinson*, 23 Fla. 206, 1 South. 934, 11 Am. St. Rep. 367, this court held that an action would lie in behalf of a discharged employee against one who maliciously procured his discharge, and stress is laid upon the evil intent with which the act was done. That case, so far as it is in point, would tend rather to sustain the modification of the injunction before us. Not only was it there held that the mere attempt to procure a discharge would not be actionable, even though the attempt were accompanied with a malicious intent, but it was clearly intimated that, even as to the consummated act, malice was essential to a cause of action; and, as we have said above, a peaceful strike, accompanied by an enforcement of the rules of a voluntary organization to the extent of expulsion against those members who disobey the rules, does not necessarily show malice.

Chapter 4144, page 69, Laws of 1893, entitled "An act to prohibit wrongful combinations against workmen, and to punish the same," presents some difficulty. As this statute is probably unique, we quote at length.

"Section 1. If two or more persons shall agree, conspire, combine, or confederate together for the purpose of preventing any person or persons from procuring work in any firm or corporation, or to cause the discharge of any person or persons from work in such firm or corporation, or if any person or persons shall verbally or by a written or printed communication, threaten any injury to the life, property or business of any person, for the purpose of procuring the discharge of any workman in any firm or corporation, or to prevent any person or persons from procuring work in such firm or corporation, such person or persons so combining shall be deemed guilty of a misdemeanor and upon conviction [thereof] shall be punished by a fine not exceeding five hundred dollars each, or by imprisonment not exceeding one year."

Construing the act with reference to its restrictive title, it appears that only wrongful combinations against workmen are denounced, and that the combination must have for its main object or purpose the preventing of a certain person or persons from obtaining work, or causing their discharge. An indictment based upon the act would have to allege the combination to have been for the purpose of preventing certain named persons from securing work with some firm or corporation, or causing their discharge. (For some strange reason, if the employer be an individual, not a firm or corporation, the statute does not purport to denounce the wrongful combination.) This legislation, coming after the decision in *Chipley v. Atkinson*, supra, should be read in the light of that decision; and, so read, it seems to us that it does not come up to the facts before us. Upon the facts before the circuit judge he might well have found that the purpose of the combination was not to prevent particular individuals obtaining work, but the purpose was to secure the work for themselves. It is not the duty of courts of equity to decide upon nice questions of criminal law, and, resolving them against the defendants, impose its injunction against the commission of the acts out of which such nice questions arise. If a combination of workmen for their own benefit operate an injury

to the property of others, and that combination is clearly against the criminal laws of the State, a court of equity may intervene to protect the property right, even though the criminal courts may also be resorted to for enforcing the penalties imposed. Such seems to be the current holding of the courts in this country. Yet, where there is serious doubt as to the facts alleged constituting a crime, it would seem best to leave the solution of the doubt to the forum appointed by the constitution directly and specifically for the trial of criminal causes.

We regret that we are unable to throw light upon this much vexed live question of the hour. Following the correct principle and the weight of the modern American cases, in so far as we are able to ascertain the principle and the weight, we find no error in the modification of the injunction, and therefore it is affirmed.

LIABILITY OF EMPLOYER FOR ACTS OF EMPLOYEES—TORTS—ACTS OF VIOLENCE DURING STRIKE—*Shay v. American Iron and Steel Manufacturing Company, Supreme Court of Pennsylvania, 67 Atlantic Reporter, page 54.*—Sallie E. Shay brought an action in the court of common pleas of Lebanon County to recover damages for injuries inflicted by employees of the company named during a strike. On hearing the court discharged the defendant, entering a compulsory nonsuit, which it refused to take off. An appeal was taken to the supreme court to secure the removal of the nonsuit, but failed. The supreme court adopted the opinion of the court below in full, which presents the facts, and from which the following is quoted:

The plaintiff is the owner of a house and a lot of ground, situated on Weidman street, in the city of Lebanon, and alleges that on September 20, 1902, several bullets were fired into her dwelling house by employees of the defendant company, damaging her house, and by reason whereof she was frightened and shocked, thereby causing her to be permanently injured.

From the testimony produced by the plaintiff it appears that at the time of the alleged injury a large number of the employees of the defendant company were on a strike, and that on the afternoon of September 20, 1902, a carload of colored men, who were engaged to work for defendant, arrived at Lebanon, and were taken to its works inside of the fence inclosing the said works. In taking said car with said colored men from the station to the works, they were followed by a crowd of men and boys, some of whom jumped on the platform of the car, opened the door, and called them vile names, to which no reply was made by anyone inside of the car. When the colored men left the car, at the works inside of the inclosure, the persons congregated on the outside commenced to throw stones and other missiles into the inclosure. A number of shots were then fired from the inside and also from the outside. During this time it is alleged, and sworn to by the plaintiff, that a bullet was fired through a second-story window of her house at or near where she was standing, facing the defendant's works, and which was afterwards found embedded in the wall of the house and which produced the said fright and shock.

An attempt was also made by the plaintiff to prove that the men brought there that day were armed by the defendant company or at their direction, but failed. The evidence produced by the plaintiff shows that those of the men who had revolvers had them without the knowledge of the defendant company, and did the shooting that was done against the protest of the persons who had charge of them; that the colored men were not hired to protect the works or the property of the company, but to operate its works; and that the discharge of firearms was not in the course of their employment.

Assuming, for the purpose of this motion, that the bullets fired into the plaintiff's house were fired by employees of the defendant company, it does not follow that the defendant is liable in damages for injury done to her dwelling or injury caused to her person by fright and shock. The law is well settled that a master is only liable for injuries resulting from the willful conduct of his servants if inflicted within the scope of his authority or employment. (*Railway Co. v. Donahue*, 70 Pa. 119; *Snodgrass v. Bradley*, 2 Grant, Cas. 43; *Pennsylvania Co. v. Toomey*, 91 Pa. 256; *Scanlon v. Suter*, 158 Pa. 275, 27 Atl. 963; *Rudgeair v. Traction Co.*, 180 Pa. 333, 36 Atl. 859.)

It is contended by the plaintiff's attorneys that the discharge of the firearms, by the defendant's employees, was malicious and the evidence produced by the plaintiff justifies the contention. Those who discharged the firearms at the plaintiff's house did so wantonly and recklessly, and were guilty of a criminal offense; and unless it was done within the scope of their employment or by the direction of the employer, and there is no evidence that it was done within the scope of their employment, or by the authority of the employer, the defendant can not be held liable in damages for injuries suffered by the plaintiff.

LAWS OF VARIOUS STATES RELATING TO LABOR, ENACTED SINCE JANUARY 1, 1904.

[The Tenth Special Report of this Bureau contains all laws of the various States and Territories and of the United States relating to labor, in force January 1, 1904. Later enactments are reproduced in successive issues of the Bulletin, beginning with Bulletin No. 57, the issue of March, 1905. A cumulative index of these later enactments is to be found on page 655 et seq. of this issue.]

ARIZONA.

ACTS OF 1907.

CHAPTER 13.—*Employment of women and minors in saloons.*

SECTION 1. It shall be unlawful for the owner of any saloon within the Territory of Arizona to permit any woman or minor, either for hire or otherwise, to sing, to recite, to dance, to play on any musical instrument, to give any theatrical or other exhibition, to drink, serve drinks or any other form of refreshment or viands, or to solicit for the purchase of [or] sale thereof; to engage in, or to take part in, any game of chance or amusement, or to loiter in any saloon or in any room or apartment, except the lobby of a legitimate hotel, opening from or into any saloon within the Territory of Arizona.

SEC. 2. Any person who shall violate any provision of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not less than fifty dollars, nor more than three hundred dollars, or by imprisonment in the county jail for not less than thirty days or more than one hundred and eighty days, or by both such fine and imprisonment in the discretion of the court.

Approved March 5, 1907.

CHAPTER 34.—*Exemption of wages from garnishment.*

SECTION 1. Paragraph 388 of the Revised Statutes of Arizona, 1901, is hereby amended to read as follows:

That one-half of the earnings for personal services rendered at any time within thirty days next preceding the service of the writ shall not be subject to garnishment when it shall be made to appear by the affidavit of the debtor that such earnings are necessary for the support of his family, residing within this Territory, and supported wholly by his labor.

Approved March 14, 1907.

CHAPTER 67.—*Employment of children—School attendance.*

SECTION 2. Paragraph 2231, title 19, chapter 11, of the Revised Statutes, is hereby amended so as to read as follows:

Paragraph 2231. No child under the age of fourteen years shall be employed by any person, persons, company or corporation during the school hours of any school day of the school term of the public school in the school district where such child resides, unless such child has been excused from attendance on instruction, as provided in this section. Every such employer shall require proof that such child has been excused from such attendance, and shall keep a record of such proof, which shall be open to the inspection of any peace officer or school trustee of the district. Any employer employing any child contrary to the provisions of this section shall be deemed guilty of a misdemeanor, and liable to a fine of not less than twenty-five (\$25.00) dollars, nor more than one hundred (\$100.00) dollars, to be placed to the credit of the school fund of the district. Every parent, guardian, or other person in the Territory of Arizona, having control of any child between the ages of eight and fourteen years (or of any child of the age of fourteen and under the age of sixteen, who is

unable to read and write in the English language), shall be required to send such child to a public school or private school taught by a competent instructor for a period of six schools [school] months of which twenty school weeks shall be consecutive, in each school year, said child to begin attendance on school within two weeks after the opening of school for the admission of pupils: *Provided*, That such parent, guardian or other person having control of such child shall be excused from such duty by the board of trustees of the district whenever it shall be shown to its satisfaction that one of the following reasons exist therefor:

1. That such child is taught at home by a competent instructor in the branches taught in the primary and grammar schools of the Territory.

2. That such child has already completed the grammar school course prescribed by the Territorial board of education.

3. That such child is in such physical or mental condition (as declared by a competent physician, if required by the board) to render such attendance inexpedient or impracticable.

4. That circumstances rendering attendance impracticable or dangerous to health, owing to unusual storm, or other sufficient cause, shall work an exemption from the penalties of this act.

Approved, March 21, 1907.

CHAPTER 72.—*Mine regulations—Signals.*

SECTION 1. Every person, company, corporation or individual, operating any mine within the Territory of Arizona, gold, silver, copper, lead, coal or any other metal or substance where it is necessary to use signals by means of bell or otherwise, for shafts, inclines, drifts, crosscuts, tunnels and underground workings, shall after the passage of this bill adopt, use and put in force the following system or code of mine bell signals as follows:

1. Bell to hoist.
1. Bell to stop.
2. Bells to lower.
- 2, slow. Bells to lower slow.
3. Bells to hoist slow, men on cage.
- 3, slow. Bells to hoist very slow.
- 2-1. Bells 1st station.
- 2-2. Bells 2nd station.
- 2-3. Bells 3rd station.
- 2-4. Bells 4th station.
- 3-1. Bells 5th station.
- 3-2. Bells 6th station.
- 3-3. Bells 7th station.
- 4-1. Bells 8th station.
- 4-2. Bells 9th station.
- 4-3. Bells 10th station.
- 4-4. Bells 11th station.
- 5-1. Bells 12th station.
- 5-2. Bells 13th station.
- 5-3. Bells 14th station.
- 5-4. Bells 15th station.
- 5-5. Bells 16th station.
- 6-1. Bells 17th station.
- 6-2. Bells 18th station.
5. Bells for blasting.
6. Bells, turn on or off steam to pump.
7. Bells, accident in shaft; wait for orders.
8. Bells, turn on or off air.

Engineer's signal that he is ready to hoist, is to raise the bucket or cage, two feet and lower it again.

SEC. 2. For the purpose of enforcing and properly understanding the above code of signals, the following rules are hereby established:

Rule 1. In giving signals, make strokes on bell at regular intervals. The bar (—) must take the same time as for one (1) stroke of the bell, and no more.

Rule 2. No person must get off or on the bucket or cage while the same is in motion. When men are to be hoisted or lowered give signal for men. Men must then get on the bucket or cage, then give the signal to hoist or lower. Bell cord must be in reach of man on the bucket or cage at stations.

Rule 3. After signal "Ready to shoot in shaft," engineer must give signal when he is read [ready] to hoist. Miners must then give the signal "men to be hoisted," and then "spit fuse," get into the bucket, and give signal to hoist.

Rule 4. All timbers, tools, etc., "longer than the depth of the bucket," to be hoisted or lowered, must be securely lashed at the upper end to the cable.

Rule 5. The foreman will see that one printed sheet of these signals and rules for each level and one for the engine room are attached to a board not less than twelve (12) inches wide by thirty-six (36) inches long, and securely fasten board up where signals can be easily read at the places above stated.

Rule 6. The above signals and rules must be obeyed. Any violation will be sufficient grounds for discharging the party or parties so doing. No person, company, corporation, or individuals, operating any mine within the Territory of Arizona, shall be responsible for accidents that may happen to men disobeying the above rules and signals. Said notice and rules shall be signed by the person or superintendent having charge of the mine, who shall designate the name of the corporation or the owner of the mine.

SEC. 3. Any person or company failing to carry out any of the provisions of this act shall be responsible for all damages arising to or incurred by any person working in said mine during the time of such failure.

Approved March 21, 1907.

CHAPTER 79.—*Exemption of wages from execution.*

SECTION 20. One-half the earnings of the defendant for his personal services rendered at any time within thirty days next preceding the levy of the execution or attachment shall be exempt when it appears by the affidavit of such defendant, or otherwise, that such earnings are necessary for the use of his family, residing in this Territory, supported in whole or in part by his labor.

Approved March 21, 1907.

CALIFORNIA.

ACTS OF 1907.

CHAPTER 51.—*Attorneys' fees in suits for wages.*

SECTION 1. Section nine hundred and twenty-four of the Code of Civil Procedure is hereby amended so as to read as follows:

924. The prevailing party in the justices' courts is entitled to costs of the action, and also of any proceedings taken by him in aid of an execution, issued upon any judgment recovered therein. In actions for the recovery of wages for labor performed, the court shall add, as part of the costs in any judgment recovered by the plaintiff, an attorney'[s] fee not exceeding twenty per cent of the amount recovered.

Approved February 28, 1907.

CHAPTER 97.—*Liability of employers for injuries to employees.*

SECTION 1. Section 1970 of the Civil Code of the State of California is hereby amended so as to read as follows:

1970. An employer is not bound to indemnify his employee for losses suffered by the latter in consequence of the ordinary risks of the business in which he is employed, nor in consequence of the negligence of another person employed by the same employer in the same general business, unless the negligence causing the injury was committed in the performance of a duty the employer owes by law to the employee, or unless the employer has neglected to use ordinary care in the selection of the culpable employee: *Provided, nevertheless,* That the employer shall be liable for such injury when the same results from the wrongful act, neglect or default of any agent or officer of such employer, superior to the employee injured, or of a person employed by such employer having the right to control or direct the services of such employee injured, and also when such injury results from the wrongful act, neglect or default of a coemployee engaged in another department of labor from that of the employee injured, or employed upon a machine, railroad train, switch-signal point, locomotive engine, or other appliance than that upon which the employee is injured is employed, or who is charged with dispatching trains, or transmitting telegraphic or telephonic orders upon any railroad, or in the operation of any mine, factory, machine shop, or other industrial establishment.

Knowledge by an employee injured of the defective or unsafe character or condition of any machinery, ways, appliances or structures of such employer shall not be a bar to recovery for any injury or death caused thereby, unless it shall also appear that such employee fully understood, comprehended and appreciated the dangers incident to the use of such defective machinery, ways, appliances or structures, and thereafter consented to use the same, or continued in the use thereof.

When death, whether instantaneous or otherwise, results from an injury to an employee received as aforesaid, the personal representative of such employee shall have a right of action therefor against such employer, and may recover damages in respect thereof, for and on behalf, and for the benefit of the widow, children, dependent parents, and dependent brothers and sisters, in order of precedence as herein stated, but no more than one action shall be brought for such recovery.

Any contract or agreement, express or implied, made by any such employee to waive the benefits of this section, or any part thereof, shall be null and void, and this section shall not be construed to deprive any such employee or his personal representative, of any right or remedy to which he is now entitled under the laws of this State.

The rules and principles of law as to contributory negligence which apply to other cases shall apply to cases arising under this section, except in so far as the same are herein modified or changed.

Approved March 6, 1907.

CHAPTER 322.—*Employment of children.*

SECTION 1. Section five of the "Act regulating the employment and hours of labor of children * * *" [Chapter 18, Acts of 1905] is hereby amended to read as follows:

Section 5. Nothing in this act shall be construed to prohibit the employment of minors at agricultural, horticultural, viticultural, or domestic labor, during the time the public schools are not in session, or during other than school hours. For the purpose of this act, horticulture shall be understood to include the curing and drying, but not the canning, of all varieties of fruit.

Approved March 19, 1907.

CHAPTER 524.—*Employment of children.*

SECTION 1. Section 2 of an act entitled "An act regulating the employment and hours of labor of children * * *" [Chapter 18, Acts of 1905], is hereby amended so [as] to read as follows:

Section 2. No minor under the age of sixteen years shall be employed or permitted to work in any mercantile institution, office, laundry, manufacturing establishment, or workshop between the hours of ten o'clock in the evening and six o'clock in the morning.

No child under fourteen years of age shall be employed in any mercantile institution, office, laundry, manufacturing establishment, workshop, place of amusement, restaurant, hotel, apartment house, or in the distribution or transmission of merchandise or messages:

Provided, That the judge of the juvenile court of the county, or city and county, or in any county or city and county in which there is no juvenile court, then any judge of the superior court of the county or city and county in which such child resides, shall have authority to issue a permit to work to any child over the age of twelve years, upon a sworn statement being made to him by the parent of such child that such child is past the age of twelve years, that the parents or parent of such child are incapacitated for labor, through illness, and after investigation by a probation officer or truant officer of the city, or city and county, in which such child resides, or in cities and counties where there are no probation or truant officers, then by such other competent persons as the judge may designate for this purpose. The permit so issued shall specify the kind of labor and the time for which it is issued, and shall in no case be issued for a longer period than shall seem necessary to the judge issuing such permit. Such permit shall be kept on file by the person, firm or corporation employing the child therein designated during the term of said employment, and shall be given up to said child upon his quitting such employment. Such certificate shall be always open to the inspection of the truant and probation officers of the city and county, city or county, in which the place of employment is situated or of the officers of the State bureau of labor statistics:

And provided, That the attendance officer of any county, city and county, or school district in which any place of employment, in this section named, is situated, shall

have the right and authority, at all times to enter into any such place of employment for the purpose of investigating violations of the provisions of this act, or violations of the provisions of an act entitled "An act to enforce the educational rights of children and providing penalties for violations of the act," approved March 24th, 1903, and amended March 20th, 1905: *Provided, however,* That if such attendance officer is denied entrance to such place of employment, any magistrate may, upon the filing of an affidavit by such attendance officer setting forth the fact that he has good cause to believe that the provisions of this act, or the act hereinbefore referred to, are being violated in such place of employment, issue an order directing such attendance officer to enter said place of employment for the purpose of making such investigations:

And provided, That any such child, over the age of twelve years, may be employed at any of the occupations mentioned in this act during the regular vacation of the public schools of the city, county, or city and county in which the place of employment is situated, upon the production of a permit signed by the principal of the school which such child has attended during the term next preceding any such vacation. Such permit shall contain the name and age of the child to whom it is issued, and the date of the termination of the vacation for which it is issued, and shall be kept on file by the employer during the period of employment, and at the termination of such employment shall be returned to the child to whom it was issued.

No minor who is under sixteen years of age shall be employed or permitted to work at any gainful occupation during the hours that the public schools of the city, town or school district in which his place of employment is situated are in session, unless he or she can read English at sight and can write legibly and correctly simple English sentences, or unless he or she is a regular attendant for the then current term at a regularly conducted night school. A certificate of the principal of such school shall be held to be sufficient evidence of such attendance.

Approved March 23, 1907.

IDAHO.

ACTS OF 1907.

Hours of labor of employees in mines and smelters.

(Page 97.)

SECTION 1. The period of employment of working men in all underground mines or workings shall be eight (8) hours per day, except in cases of emergency where life or property is in imminent danger.

SEC. 2. The period of employment of workingmen in smelters, and in all other institutions for the refining or reduction of ores or metals, shall be eight (8) hours per day, except in cases of emergency where life or property is in imminent danger.

SEC. 3. Any person, body corporate, agent, manager or employer who shall violate any of the provisions of sections 1 or 2 of this act shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than fifty dollars (\$50.00) nor more than three hundred dollars (\$300.00), or by imprisonment in the county jail for not more than six months, or by both such fine and imprisonment.

Approved on the 26th day of February, 1907.

Sunday labor.

(Page 223.)

SECTION 1. The first day of the week, commonly called Sunday, is hereby set apart as a day of public rest.

SEC. 2. It shall be unlawful for any person or persons in this State to keep open on Sunday for the purpose of any business, trade, or sale of goods, wares, or merchandise, any shop, store, building, or place of business whatever: *Provided,* That hotels and restaurants may furnish lodging and meals, and, *Provided,* That this section shall not apply to livery stables, or to stores in so far as the sale of medicines or sick room supplies are concerned, or to undertakers while providing for the dead, or to news stands in so far as the quiet sale and delivery of daily papers and magazines is concerned, nor to sale of nonintoxicating refreshments, candies and cigars.

Any person or persons violating this section shall be guilty of a misdemeanor and on conviction thereof said offender shall be fined in any sum not less than twenty-five dollars (\$25.00) nor more than one hundred dollars (\$100.00), or shall be imprisoned in the county jail not to exceed thirty days and upon a second conviction by both such fine and imprisonment.

Approved March 12, 1907.

Employment of children.

(Page 248.)

SECTION 1. No child under fourteen years of age shall be employed, permitted or suffered to work in or in connection with any mine, factory, workshop, mercantile establishment, store, telegraph or telephone office, laundry, restaurant, hotel, apartment house, or in the distribution or transmission of merchandise or messages. It shall be unlawful for any person, firm or corporation to employ any child under fourteen years of age in any such business or service whatever during the hours in which the public schools of the district in which the child resides are in session, or before the hour of six o'clock in the morning, or after the hour of nine o'clock in the evening: *Provided*, That any such child, over the age of twelve years may be employed at any of the occupations mentioned in this act during the regular vacations of two weeks or more of the public schools of the district in which such child resides.

SEC. 2. No minor who is under sixteen years of age shall be employed or permitted to work at any gainful occupation during the hours that the public schools of the school district in which he resides are in session, unless he can read at sight and write legibly simple sentences in the English language, and has received instruction in spelling, English grammar, and geography and is familiar with the fundamental operations of arithmetic up to and including fractions, or has similar attainments in another language.

SEC. 3. Every person, firm, corporation, agent or officer of a firm or corporation employing or permitting minors under sixteen years of age and over fourteen years of age to work in any mine, factory, workshop, mercantile establishment, store, telegraph or telephone office, laundry, restaurant, hotel, apartment house, or in the distribution or transmission of merchandise or messages, shall keep a record of the names, ages, and places of residence of such minors.

SEC. 4. No person under the age of sixteen years shall be employed or suffered or permitted to work at any gainful occupation more than fifty-four hours in any one week, nor more than nine hours in any one day; nor before the hour of six o'clock in the morning nor after the hour of nine o'clock in the evening.

SEC. 5. Whoever employs a child under sixteen years of age, and whoever, having under his control a child under such age permits such child to be employed in violation of sections 1 and 2 of this act shall, for such offense, be fined not more than fifty dollars, and whoever continues to employ any child in violation of either of said sections of this act after being notified by a truant officer, probation officer or school authority shall, for every day thereafter that such employment continues be fined not less than five nor more than twenty dollars. A failure to produce to a truant officer, policeman, probation officer or school authority, the age record required by this act shall be prima facie evidence of the illegal employment of any person whose age record is not produced. Any parent, guardian or custodian of a minor under sixteen years of age who knowingly swears falsely as to the age of such child for the purpose of obtaining an age record, is guilty of perjury.

SEC. 6. Any person, whether as parent, relative, guardian, employer or otherwise, having the care, custody or control of any child under the age of sixteen years, who exhibits, uses or employs in any manner or under any pretense, sells, apprentices, gives away, lets out or disposes of such child to any person, under any name, title or pretense, for or in any business, exhibition or vocation, injurious to the health or dangerous to the life or limb of such child, or in or for the vocation, occupation, service or purpose of singing, playing on musical instruments, rope or wire walking, dancing, begging or peddling, or as a gymnast, acrobat, or contortionist, or rider, or in any place whatsoever, or for any obscene, indecent or immoral purpose, exhibition or practice whatsoever, or for or in any mendicant, or wandering business whatsoever, or who causes, procures or encourages such child to engage therein, is guilty of a misdemeanor, and punishable by a fine of not less than fifty nor more than two hundred and fifty dollars, or by imprisonment in the county jail for a term not exceeding six months or by both such fine and imprisonment. Every person who takes, receives, hires, employs, uses, exhibits or has in custody any child under the age and for any of the purposes mentioned in this section, is guilty of a like offense and punishable by like imprisonment. Nothing in this section contained applies to or effects [affects] the employment or use of any such child as a singer or musician in any church, school or academy, or the teaching or learning of the science or practice of music.

SEC. 7. Any person, whether as parent, guardian, employer or otherwise, and any firm or corporation, who as employer or otherwise, shall send, direct, or cause to be sent or directed, any minor, to any saloon, gambling house, house of prostitution or other immoral place; or who shall employ any minor to serve intoxicating liquors to

customers, or who shall employ a minor in handling intoxicating liquor or packages containing such liquors in a brewery, bottling establishment or other place where such liquors are prepared for sale or offered for sale, shall, for each offense, be punished by a fine of not less than fifty dollars or imprisonment for not less than two months or by both such fine and imprisonment.

SEC. 8. The probation officer, or in counties where there is not [no] probation officer, one or more of the school trustees, shall visit the various places of employment mentioned in sections 1 and 7 of this act and ascertain whether any minors are employed therein contrary to the provisions of this act, and they shall bring complaint for offenses under this act to the attention of the prosecuting attorney for prosecution, but nothing herein shall be held to prohibit any reputable citizen from bringing complaint for violations of this act. All offenses under this act shall be prosecuted in the probate court.

Approved March 12, 1907.

Railroads—Height of wires over tracks.

(Page 535.)

SECTION 1. It shall hereafter be unlawful for any corporation or person to string any wire, electric or other, over the tracks of any railroad company, except at such places and in such manner as shall be authorized and approved by the board of county commissioners of the county wherein such crossing with such wire is proposed, and any corporation or person desiring to so string any wire shall give such railroad company notice in writing of the place and manner in which it desires to string the same, and the place where, and the time when, it will apply to said board of county commissioners for approval and authority as above required, which notice shall be served at least ten days before the time of hearing of such application.

SEC. 2. The board of county commissioners of the several counties in the State of Idaho shall, as soon as possible after the passage of this act, either by personal examination or otherwise, obtain information as to all places where the tracks of railroad are crossed by wires strung over said tracks, and whenever in its judgment such wires should be raised to a greater height, or other thing done with reference thereto to guard against accidents, shall order such change or changes to be made, and shall apportion any expense incident thereto between the companies or persons affected, as may be deemed just and reasonable: *Provided*, That in no case shall the height of any wire strung or to be strung across or over such or any railroad tracks be less than twenty-five feet, excepting trolley wires, which shall not be less than twenty feet from the top of the rail of said railroad tracks.

SEC. 3. It shall be the duty of every corporation and persons to whom an order made by the board of county commissioners of the respective counties in said State under this act shall be directed, to comply with such order in accordance with its terms, and for any neglect to so comply therewith any such corporation or person shall be liable to a penalty of \$100.00, and to a like penalty for every ten days during which said neglect shall continue. Any such penalty may be recovered by an appropriate action instituted by the county where such violation or disobedience has been committed, and said penalty shall be recovered by said county, and it shall be the duty of the prosecuting attorney of the district in which said county is located to bring and prosecute any such action in the name of the county at the request of the said board of county commissioners.

Approved March 15, 1907.

MAINE.

ACTS OF 1907.

CHAPTER 46.—*Employment of children—Age limit.*

SECTION 1. Section fifty-two of chapter forty of the Revised Statutes is hereby amended * * * so that said section as amended shall read:

Section 52. No child under fourteen years of age, shall be employed in any manufacturing or mechanical establishment in the State. Whoever, either for himself, or as superintendent, overseer or agent of another, employs or has in his employment any child in violation of the provisions of this section, shall be punished by a fine of not less than twenty-five, nor more than fifty dollars for each offense.

SEC. 2. Sections fifty-three, fifty-four and fifty-five of said chapter forty are hereby repealed.

SEC. 3. Chapter forty of the Revised Statutes is hereby amended by inserting as section fifty-three of said chapter the following:

Section 53. Any child over fourteen years of age, and under sixteen years of age, applying for employment in any manufacturing or mechanical establishment in this State, or any person applying in his behalf, shall produce and present to the owner, superintendent or overseer of such establishment a certified copy of the town clerk's record of the birth of such child, or a certified copy of his baptismal record showing the date of his birth, or his passport showing said date of birth, and without the production and presentation of said town record, baptismal record or passport, such child shall not receive the employment applied for. The employer shall retain such town record, baptismal record or passport and shall issue to such child a certificate containing the name of the child, the name of his parents, if living, or guardian, if any, with the residence of said child, parent or guardian, and such other facts as may be required by the inspector of factories, workshops, mines and quarries, which certificate shall be furnished in blank by said inspector and shall be approved as to form by the attorney-general. The employer shall furnish to said inspector a copy of each certificate thus issued immediately after the issuance of the original, which copy shall be retained by the inspector upon a file prepared for that purpose. When such child leaves such employment the employer shall return to such child the copy of town record, baptismal record, or passport furnished by him as aforesaid and shall immediately notify said inspector that such child has left his employment, and the date of such leaving. The inspector of factories, workshops, mines and quarries, or either of his assistants, may demand the names of the children under sixteen years of age employed in such establishment, in the several cities and towns of the State, and may require that the certificates of age prescribed in this section, shall be produced for his inspection, and a failure to produce the same, shall be prima facie evidence that the employment of such child is illegal.

SEC. 4. Said chapter forty is further amended by inserting as section fifty-four the following:

Section 54. The penalties provided by section fifty-two of this chapter shall apply to all provisions of section fifty-three. It shall be the duty of the inspector of factories, workshops, mines and quarries, and of his assistants to investigate and prosecute all violations of the provisions of the two preceding sections.

SEC. 5. Section fifty-six of said chapter forty is hereby amended by renumbering the same as section fifty-five and * * * [otherwise], so that said section as amended shall read as follows:

Section 55. Nothing in the seven preceding sections shall apply to any manufacturing establishment or business, the materials and products of which are perishable and require immediate labor thereon, to prevent decay thereof or damage thereto: *Provided, however,* The employment of children therein shall be under the supervision of said inspector who shall on complaint investigate the sanitary conditions, hours of labor, and other conditions detrimental to children and if in his judgment he finds detrimental conditions to exist, he may, in conjunction with the municipal officers of the town or city of which the complaint is made, prohibit the employment of children therein until such conditions are removed.

SEC. 6. This act shall take effect September first, nineteen hundred and seven.

Approved March 6, 1907.

CHAPTER 84.—*Employment agencies.*

SECTION 1. No person shall open, keep or carry on any employment agency unless he shall first procure from the municipal officers of the city or town where said agency is to be located a license for the same, which license shall be issued by the municipal officers upon the payment of twenty dollars for the use of said city or town. Such license shall be signed by one or more of the municipal officers and shall be issued for the term of one year from its date and shall apply only to the person to whom it is issued.

SEC. 2. Every person applying for a license as provided in the preceding section shall file with said municipal officers a bond in favor of the inhabitants of the city or town wherein such application is made in the sum of five hundred dollars, with surety approved by the municipal officers, conditioned that the obligor shall not violate any of the provisions of this act. The municipal officers are hereby given authority, after such notice and hearing as they may deem necessary, to revoke the license of any person, when, in their judgment, said licensed person has violated any of the provisions of this act. The decision of the municipal officers shall be final.

SEC. 3. Every licensed person shall give to each applicant for employment from whom a fee or other valuable thing shall be received for procuring such employment,

which fee or other valuable thing shall in no case exceed the value of one dollar, said fee being in full compensation for all services of said licensed person, a receipt in which shall be stated the name of the applicant, the amount of the fee or other valuable thing, the date; the name or nature of the employment or situation to be procured and a separate receipt in which shall be stated the name and address of the person, firm or corporation, to whom the applicant is referred or sent for work or employment. If the applicant does not obtain a situation or employment through the agency or such licensed person, without fault on the part of said applicant, within six days after the application as aforesaid, said employment agency shall return to such applicant on demand the full amount of the fee or other valuable thing so paid and delivered by said applicant to said licensed person. If a person procuring a position through the agency, as aforesaid, is discharged from his employment within six days after entering therein, without cause or if he shall leave said employment within six days without fault on the part of the employer, the amount paid to said agency by either the employer or the employee, shall be returned to the party paying the same, upon demand made within ten days after said employee ceases to labor: *Provided*, The party claiming said return shall be the one without fault.

Said employment agency shall exhibit in a public and conspicuous place in his place or office the license which he has obtained from the municipal officers of the city or town wherein said agency is established.

SEC. 4. The term "person" in this act shall include persons, company, society, association, firm or corporation, and the term "employment agency" shall include the business of keeping the intelligence office, employment bureaus or other agencies by procuring work or employment for persons seeking employment, or for acting as agent for procuring such work or employment where a fee or other valuable thing is exacted, charged or received, or for procuring or assisting to procure employment, work or a situation of any kind or for procuring or providing hereby for any person.

SEC. 5. This act shall not apply to the employment of seamen:

SEC. 7. Whoever violates any of the provisions of this act shall be fined not less than ten or more than one hundred dollars to be recovered by complaint or indictment for the use of the State.

Approved March 20, 1907.

MONTANA.

ACTS OF 1907.

CHAPTER 5.—*Hours of labor of employees on railroads.*

SECTION 1. On all lines of steam railroads or railways operated in whole or in part, within this State the time of labor of locomotive engineers, locomotive firemen, conductors, trainmen, operators and agents acting as operators, employed in running or operating the locomotive engines or trains on or over such railroads or railways in this State shall not at any time exceed sixteen (16) consecutive hours or to be on duty for more than sixteen (16) hours in the aggregate in any twenty-four (24) hour period. At least eight (8) hours shall be allowed them off duty before said engineers, firemen, conductors, trainmen, operators and agents acting as operators, are again ordered or required to go on duty: *Provided, however*, That nothing in this section shall be construed to allow any engineer, fireman, conductor or trainman to desert his locomotive or train in case of accident, storms, wrecks, washouts, snow blockade or any unavoidable delay arising from like causes, or to allow said engineer, fireman, conductor or trainman to tie up any passenger or mail train between terminals.

SEC. 2. Any railroad company or superintendent, train dispatcher, trainmaster, master mechanic or other railroad or railway official who shall order or require any locomotive engineer, locomotive fireman, conductor, trainman, operator or agent acting as operator, to labor contrary to the provisions of section one of this act shall be deemed guilty of a misdemeanor and on conviction thereof shall be punished by a fine of not less than one hundred (\$100.00) dollars or more than five hundred (\$500.00) dollars, or by imprisonment of not less than thirty days or more than sixty days in the county jail; and all railroad or railway corporations operating lines of railroads or railways in whole or in part in this State, shall be liable in damages for all injuries to any person or persons resulting from violations of the provisions of section one of this act.

SEC. 3. The provisions of section 1 of this act shall not apply to relief or wreck trains.

Approved Feby. 5th, 1907.

CHAPTER 18.—*Labor organizations, etc.—Unauthorized use of badges.*

SECTION 1. Section 1192 of the Penal Code of the State of Montana is hereby amended so as to read as follows:

Section 1192. Any person who willfully wears the badge of * * * labor organizations, or any society, order or organization of ten years standing in the State of Montana, or use the name to obtain aid or assistance within this State, or willfully uses the name of such society, order or organization, the title of its officers, or its insignia, rituals or ceremonies, unless entitled to use or wear the same under the constitution and by-laws, rules and regulations of such order, or of such society, order or organization, shall be guilty of a misdemeanor, and, upon conviction, shall be punished by imprisonment for a term not to exceed ninety [ninety] days in the county jail, or a fine not to exceed two hundred and no-100- (\$200.00) dollars, or by both such fine and imprisonment: *Provided*, This shall not apply to the wives, daughters, sisters or mothers of members of these orders who are in good standing.

Approved Feby. 19, 1907.

CHAPTER 19.—*Employment of children—Enforcement of laws.*

SECTION IV. Section X of an act approved March 4, 1905, is hereby amended to read as follows:

The secretary [of the bureau of child and animal protection] is hereby vested with authority to make arrests of any person, or persons, violating any provisions of the laws relating to wrongs to children and dumb animals, and is hereby further vested with the authority to enter workshops, factories, stores, mines, mills and smelters, and all other places where children may be employed, and do what may be necessary in the way of investigation, or otherwise, to enforce the laws pertaining to minor children and animals.

Approved Feby. 19, 1907.

CHAPTER 37.—*Accidents on railroads.*

SECTION 16A. The said board [of railroad commissioners] or some members thereof, to be deputed by it, shall investigate and make inquiry into every accident occurring in the operation of any railroad in this State, resulting in death or injury to any person, of such gravity as to require the attention of a physician or surgeon, or in the destruction of property greater in value than two thousand dollars. The testimony taken on any such hearing shall be transcribed and filed in the office of the board.

SEC. 17. It is hereby made the duty of every railroad company operating any line of railroad within this State, promptly upon the occurrence or in connection with the operation of its line within the State, of any accident such as is mentioned in the next preceding section, to report the same to the board of railroad commissioners, in which report shall be stated the time and place of the accident, the names of the persons killed or injured, and the value of any property destroyed.

SEC. 18. The said board in making any examination or investigation provided for in this act, shall have the power to issue subpoenas for the attendance of witnesses, by such rules as they may prescribe. Each witness shall receive the sum of three dollars per day, together with the sum of five cents per mile traveled by the nearest practicable route in going to and returning from the place of meeting of said commission. And no witness furnished with free transportation shall receive mileage for the distance he may have traveled on such free transportation. No person shall be excused from attending or testifying, or producing any books, papers, documents, or any thing or things, before any court or magistrate, or commissioner or board, upon any investigation, proceeding or trial under the provisions of this act or for any violation of any of them, upon the ground or for the reason that the testimony or evidence documentary or otherwise required of him, may tend to convict him of a crime, or to subject him to a penalty or forfeiture; but no person shall be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction, matter or thing concerning which he may so testify, or produce evidence; and no testimony or evidence so given or produced shall be received against him upon any civil or criminal proceeding, action or investigation.

Became a law the 26th day of February, 1907.

CHAPTER 45.—*Inspection of steam boilers.*

SECTION 1. Section 552 of the Political Code is hereby amended so as to read as follows:

Section 552. There shall be two assistant inspectors of boilers, each of whom shall be called assistant inspector of boilers. Such assistant inspectors must be persons who have had at least four years practical experience in the operation of steam engines and boilers, and must be persons of temperate habits and good character and qualified to perform the duties of their office. They shall be appointed by the governor, by and with the advice and consent of the senate, and be subject to removal at the will of the governor. The salary of each assistant inspector shall be eighteen hundred (\$1,800.00) dollars per year. Each assistant inspector must execute an official bond in the sum of twenty-five hundred (\$2,500.00) dollars.

There shall be a clerk to the State boiler inspector to be appointed by him, who shall also when not engaged in duties as clerk of the State boiler inspector's office, perform such duties as clerk of the State quartz mine inspector and State coal mine inspector's office, as those offices may require. The salary of the clerk to the boiler inspector shall be fifteen hundred (\$1,500.00) dollars per year, and the clerk must execute an official bond in the sum of two thousand (\$2,000.00) dollars.

Approved Feby. 26, 1907.

CHAPTER 52.—*Foremen, etc., accepting fees for furnishing employment.*

SECTION 1. Any superintendent, foreman, assistant, boss, or any other person, or persons, who shall receive, or solicit, or cause to be received or solicited, any sum of money or other valuable consideration, from any person for or on account of the employment, or the continuing of the employment of such person, or of anyone else, or for, or on account of any promise, or agreement, to employ or to continue to employ, any such person, or anyone else, shall be guilty of a misdemeanor and upon conviction shall be subject to a fine of not more than one thousand (1,000) dollars, or undergo an imprisonment in the county jail of not more than one (1) year, or both, at the discretion of the court.

SEC. 2. No person shall be excused from attending or testifying, or producing any books, papers, documents, or any thing, or things before any court, or magistrate upon any investigation, proceeding, or trial, for a violation of any of the provisions of this act, upon the ground, or for the reason that the testimony, or evidence, documentary, or otherwise required of him, may tend to convict him of a crime, or to subject him to a penalty, or forfeiture; but no person shall be prosecuted or subjected to any penalty, or forfeiture for or on account of any transaction, matter or thing concerning which he may so testify, or produce evidence of documentary, or otherwise; and no testimony or evidence so given, or produced shall be received against him in any civil or criminal proceeding, action or investigation.

Approved Feby. 28, 1907.

CHAPTER 54.—*Railroads—Construction of caboose cars.*

SECTION 1. It shall be unlawful for any person, corporation or company operating any railroad or railway in this State to require or permit the use of any caboose cars, unless said caboose cars shall be at least twenty-four feet in length, exclusive of platforms, and shall be provided with a door in each end thereof, and with suitable water-closets, cupolas, platforms, guard rails, grab irons and steps for the safety of persons in alighting or getting on said caboose cars, and said caboose cars shall be equipped with at least two, four wheel trucks;

SEC. 2. Any person, corporation or company operating any railroad or railway in this State, violating any of the provisions of section 1, of this act, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined not less than five hundred dollars (\$500.00), nor more than one thousand dollars (\$1,000.00), for each offense.

SEC. 4. This act shall be in force and take effect from and after the first day of November, 1907.

Approved Feby. 28, 1907.

CHAPTER 78.—*Protection of employees on street railroads.*

SECTION 1. From and after the first day of December, A. D. 1908, it shall be unlawful for any person, partnership or corporation owning or operating a street railway in this State, or any officer or agent thereof, superintending, managing the said line of railway, or of the cars thereof, operating electric, cable or other cars, propelled either by steam,

cable or electricity, which require the constant services, care, or attention of any person or persons on any part of such car, to require or permit such services, attention or care, of any of its employees, (or any other person or persons,) between the first day of November and the first day of May of each year, unless such person or persons, partnership or corporation, its said officers or superintendents and managing agents, have first provided the said car or cars with a proper and sufficient inclosure, constructed of wood, iron or glass, or similar suitable material sufficient to protect such employees from exposure to the inclemencies of the weather: *Provided*, That such inclosures shall be so constructed as not to obscure the vision of the person operating the car: *Provided further*, That during a fog or fall of snow sufficient to obscure the view of motormen he may be allowed to remove the glass in his immediate front so that same shall not prevent the safe operation of the car.

SEC. 2. From and after said December first A. D. 1908, it shall be unlawful for any person or persons, partnership or corporation so owning or operating street railways using steam, electric or cable cars, or any superintending or managing officer or agent thereof, to cause or to permit to be used upon such line of railway, between the said November first, and May first, of each and every year, any car or cars upon which the services of any employee such as specified in section one of this act is required, unless such car or cars shall be provided with the inclosure required by said section one of this act, except that any street railway company may at all times of the year run special cars not so protected, not more than four consecutive hours in one day.

SEC. 3. Any person or persons, partnership or corporation owning, operating or superintending or managing any such line of street railway or managing or superintending officer or agent thereof, who shall be found guilty of the violation of the provisions of section one or two of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than fifty dollars or more than one hundred dollars. Each and every day that any such person or persons cause or permit any of thier [their] employees to operate such cars in violation of the provisions of section one of this act, or cause such cars to be operated in violation of section two of this act, shall be deemed a separate offense.

SEC. 4. It is hereby made the duty of the county attorney of any county in which any street railway is situated and operated, upon information given to him by any person that any person or persons, partnership or corporation has violated any of the provisions of this act, to promptly prosecute such person or persons, partnership or corporation for such violation.

Approved March 4, 1907.

CHAPTER 99.—*Employment of children—Age limit.*

SECTION 1. Any person, company, firm, association, or corporation engaged in business in this State, or any agent, officer, foreman or other employee having control or management of employees, or having the power to hire or discharge employees, who shall knowingly employ or permit to be employed any child under the age of sixteen years, to render or perform any service or labor, whether under contract of employment or otherwise, in, on, or about any mine, mill, smelter, workshop, factory, steam, electric, hydraulic, or compressed air railroad, or passenger or freight elevator, or where any machinery is operated, or for any telegraph, telephone or messenger company, or in any occupation not herein enumerated which is known to be dangerous or unhealthful, or which may be in any way detrimental to the morals of said child, shall be guilty of a misdemeanor and punishable as hereinafter provided.

SEC. 2. Any parent, guardian or other person having the care, custody or control of any child under the age of sixteen years, who shall permit, suffer or allow any such child to work or perform service for any person, company, firm, association or corporation doing business in this State, or who shall permit or allow any such child over whom he has such care, custody or control, to retain such employment as is prohibited in section one of this act, whether under contract of employment or not, shall be guilty of a misdemeanor and punishable as hereinafter provided.

SEC. 3. The commissioner of the bureau of agriculture, labor and industry shall compile and preserve in his office from reports made to him by the county superintendent of schools, as otherwise provided, a full and complete list of the name, age, date of birth and sex of each child, and the names of the parents or guardians of each child under the age of sixteen years who is now or may hereafter become a resident of this State, and such list shall be the official record of the age of children in this State.

SEC. 4. Upon attaining the age of sixteen years any child may make application to the commissioner of the bureau of agriculture, labor and industry for an age certificate, which must be presented to any employer with whom such child may seek employ-

ment. The employer, if such employment be given, must countersign the certificate, and return the same to the commissioner of said bureau, who shall keep the same on file in his office.

Any person, firm, company, association or corporation who employs or permits to be employed in any occupation prohibited in section one of this act, any child without such certificate showing the child to be at least sixteen years of age, shall be guilty of a misdemeanor and punishable as hereinafter provided. Should such child prove to be less than sixteen years of age.

SEC. 5. To enforce this act the commissioner of the bureau of agriculture, labor and industry, the bureau of child and animal protection and all county attorneys shall, each upon thier [their] own volition, or upon the sworn complaint of any reputable citizen that this act is being violated, make prosecutions for such violations.

SEC. 6. Every person, firm, company, association or corporation who violates any of the provisions of this act shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than twenty-five dollars nor more than five hundred dollars, or by imprisonment in the county jail for a period of not less than thirty days nor more than six months, or by both such fine and imprisonment.

Approved March 5, 1907.

CHAPTER 108.—*Hours of labor of employees on public works, and in mines, smelters, etc.*

SECTION 1. Chapter 50 of the Session Laws of the State of Montana for the year 1905 is hereby amended so as to read as follows:

Section 1. A period of eight (8) hours shall constitute a day's work on all works or undertakings carried on or aided by any municipal, county, or State government, and on all contracts let by them, and in mills and smelters for the treatment of ores, and in underground mines, and in the washing, reducing or treatment of coal.

Sec. 2. Every person, corporation, stock company or association of persons who violate any of the provisions of section one (1) of this act shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than one hundred (100) dollars nor more than five hundred (\$500) dollars, or by imprisonment in the county jail for not less than thirty days nor more than six months, or by both such [fine] and imprisonment.

Approved March 6, 1907.

CHAPTER 133.—*Mine regulations—Inspector.*

SECTION 1. The governor, by and with the advice and consent of the senate, shall appoint one coal-mine inspector who shall hold office for a term of four years from the date of his appointment, unless otherwise removed by the governor.

SEC. 2. No person shall be eligible to the office of coal-mine inspector until he shall have attained the age of thirty years, must be a citizen of the United States, a qualified resident of the State of Montana and been actually employed at coal mining ten years prior to his appointment and shall possess a competent knowledge of all the different systems of coal mining and working and properly ventilating coal mines, and the nature and constituent parts of noxious and explosive gases of coal mines, and of the various ways of expelling the same from the said mines. Said inspector shall be a graduate of some recognized school of mines.

SEC. 3. The salary of the State coal-mine inspector shall be twenty-five hundred dollars per annum and all necessary and traveling expenses; the State coal-mine inspector shall file with the State treasurer a bond, approved by the governor of the State, in the sum of five thousand dollars, for the faithful performance of his duties.

SEC. 4. The State coal mine inspector shall have the right and it is hereby made his duty, to enter, inspect, and examine any coal mine in this State and the workings and the machinery belonging thereto, at all reasonable times, either by day or night, but not so as to impede or obstruct the workings of the mine. He shall also have the right and it is his duty to make inquiry into the condition of such mine, workings, machinery, scales, ventilation, drainage, method of lighting or using lights, and into all methods and things connected with or relating to, as well as to make suggestions providing for the health and safety of persons employed in or about the same, and especially to make inquiry whether or not the provisions of the acts providing for the regulation of coal mines, or other acts which may hereinafter be enacted governing coal mines, have been complied with. The owner, operator or superintendent of such mine is hereby required to furnish the means necessary for such entry, inspection, examination, inquiry and exit. It shall also be the duty of the said coal mine inspector to carefully examine all the coal mines in operation in this State at least every three months and oftener if necessary; to see that every precaution is taken to

insure the safety of all workmen that may be engaged in said coal mine. The said inspector shall make a record of the visit, noting the time and the material circumstances of the inspection.

SEC. 5. The said coal mine inspector while in office shall not act as agent for any corporation, superintendent or manager of any mines, and shall in no manner whatever be under the employ of mining companies, and it shall be the duty of the said coal mine inspector on or before the first day of January of every year, to make a report to the governor of his proceedings as such coal mine inspector and the conditions of each and every coal mine in the State, stating therein all accidents that have happened in or about said mine or mines, and to set forth in said report all such suggestions as he may deem important as to any further legislation on the subject of coal mining.

SEC. 6. For the more efficient discharge of the duties herein imposed upon him, the said coal mine inspector shall be furnished at the expense of the State, with an anemometer, a safety lamp and whatever other instruments or other appliances which may be required in order to carry into effect the provisions of the acts regulating coal mines.

SEC. 7. The State coal mine inspector shall post up in some conspicuous place at the top of each mine visited and inspected by him, a plain statement of the conditions of such mine, showing what in his judgment is necessary for the better protection of the lives and health of persons employed in said mine; such statement shall give the date of inspection and be signed by the said inspector. He shall also post a notice at the landing used by the men stating what number of men may be permitted to ride on the cage, car or cars at one time, and what rate of speed men may be hoisted and lowered on the cage, car or cars. He must observe especially that the code of signals provided in the act regulating coal mines, between the engineer and top men and bottom men, is conspicuously posted for the information of all employees.

In case of the death, resignation or removal from office of the State coal mine inspector before the expiration of the term of office, the governor shall appoint a duly qualified person as provided in this act, to fill the vacancy for the unexpired term.

SEC. 8. In case the State coal mine inspector becomes incapacitated and can not perform the duties of his office for a period longer than two weeks, it shall be the duty of the governor to deputize some competent person having the qualifications provided in this act, to fulfill the duties of the said inspector until the said inspector shall return to the performance of his official duties; and the person deputized by the governor shall be paid by the State out of any moneys in the general fund of the State not otherwise appropriated, for the services rendered, at the same rate as received by the State coal mine inspector.

SEC. 9. The State coal mine inspector is hereby made, equally with the county clerk, ex officio sealer of weights and measures, in so far as the same relates to coal mines and coal mining, and as such is empowered to test and compare all weights and measures used in weighing and measuring coal at any coal mine, or used in measuring air passages or other openings in coal mines, with the standards of weights and measures kept by the county clerk of any county. Upon the written request of any coal mine owner or operator or ten coal miners employed at any one mine, it shall be his duty to test and prove any scale or scales at such mine against which complaint is directed, and if he shall find that they or any of them do not weigh correctly, he shall call the attention of the mine owner or operator to the fact and direct that said scale or scales be at once overhauled and readjusted so as to indicate only true and correct weights, and he shall forbid the further operation of such scale until such scales are adjusted. In the event that such tests shall conflict with any test made by any county sealer of weights and measures, or under and by virtue of any municipal ordinance or regulation, then the test by such mine inspector shall prevail.

SEC. 10. For the purpose of carrying out the provisions of this act the State coal mine inspector shall be furnished by the State with a complete set of standard weights suitable for testing the accuracy of track scales, and of all smaller scales at mines; said test weights shall remain in the custody of the State coal mine inspector for use at any point within the State, and for any amounts expended by him for the storage, transportation or the handling of the same, he shall be fully reimbursed upon making entry of the proper items in his expense voucher.

SEC. 11. If any operator shall refuse to permit such inspection or to furnish the necessary facilities for making such examination and inspection, the inspector shall file his affidavit, setting forth his refusal, with the judge of the district court in said county in which said mine is situated, either in term time or vacation, and obtain an order on such owner, operator or agent so refusing as aforesaid, commanding him to permit and furnish such necessary facilities for the inspection of such coal mine, or to be adjudged to stand in contempt of court and punished accordingly.

SEC. 12. Whenever a petition signed by fifty or more reputable citizens, legal residents of the State, verified by oath by two or more of the said petitioners, and accom-

panied by a bond in the sum of five hundred dollars, running to the State, executed by two or more freeholders, approved and accepted by the clerk of the district court of the county or counties of their residence, conditioned for the payment of all costs and expenses arising from the investigation of the charges, setting forth that the inspector of mines neglects his duties or is incompetent, or is guilty of malfeasance in office, it shall be the duty of the judge of the district court of the county, to issue a citation in the name of the State to the said inspector, to appear at not less than five days' notice, on a day fixed, before said court, and the court shall then proceed to inquire into and investigate the allegations of the petitioners; such action shall be prosecuted by the county attorney.

SEC. 13. If the court finds that the said mine inspector is neglectful of his duties or incompetent to perform the duties of his office, or that he is guilty of malfeasance in office, the court shall certify the same to the governor, who shall declare the office of said mine inspector vacant, and proceed in compliance with the provisions of this act to supply the vacancy; and the costs of such investigation shall, if the charges are sustained, be imposed upon the State coal mine inspector.

Approved March 7, 1907.

CHAPTER 134.—*Mine regulations—Wash rooms for miners.*

SECTION 1. It shall be the duty of the owner, operator or superintendent of any coal mine in the State of Montana, to provide a suitable building, not an engine or boiler house, which shall not be over eight hundred feet from and convenient to the principal entrance of such mine, for the use of the persons employed therein for the purpose of washing themselves and changing their clothes when entering the mine and returning therefrom. The said building shall be maintained in good order, be properly lighted and heated and supplied with pure cold and warm water, and be provided with facilities for persons to wash, and a suitable locker for each person to be used by him as a repository for his clothes. If any owner or operator of a coal mine shall fail to construct and maintain a washhouse as herein provided, he shall be subject to a fine of not less than twenty-five dollars per day for each day of such violation. If any person shall maliciously injure or destroy, or cause to be injured or destroyed, the said building or any part thereof, or any of the appliances or fittings used for supplying light, heat or water therein, or doing any act tending to the injury or destruction thereof, he shall be deemed guilty of an offense against this act, and shall be subject to a fine of not less than five dollars nor more than one hundred dollars or imprisonment of not less than five days nor more than sixty days, or both such fine and imprisonment.

SEC. 2. This act shall take effect and be in full force from and after six calendar months next following its passage and approval.

Approved March 7, 1907.

CHAPTER 144.—*Extortion—Refusal to pay wages due employees.*

SECTION 1. Chapter VI, of Title XIII, of the Penal Code of the State of Montana, relating to extortion, is hereby amended by adding thereto, a section to be designated as section 924, and which is as follows:

Section 924. Every person, company or corporation indebted to another person for labor, or any agent of any person, copartnership, or corporation so indebted, who shall, with intent to secure from such other person a discount upon the payment of such indebtedness, willfully refuse to pay the same, or falsely deny the same, or the amount or validity thereof, or that the same is due, is guilty of a misdemeanor: *Provided, however,* That nothing herein contained shall prohibit any employer from fixing regular pay days for the payment of wages or salary earned in the calendar month immediately preceding such pay days, except in cases where the employee is discharged.

Approved March 7, 1907.

NEW MEXICO.

ACTS OF 1907.

CHAPTER 37.—*Earnings of married women.*

SECTION 12. The earnings of the wife are not liable for the debts of the husband.

Approved March 18, 1907.

CHAPTER 44.—*Payment of wages in scrip.*

SECTION 1. The provisions of section 2355 of the Compiled Laws of 1897 [prohibiting mine operators and merchants from paying wages in scrip] shall not apply in any instance where the issuance of script [scrip], check, draft, or order, is upon the voluntary request or at the instance of the party to whom issued, but only in cases where the employer seeks to compel, coerce, or influence the employee against his will to accept the same.

Approved March 18, 1907.

CHAPTER 96.—*Employers to furnish names of taxable employees.*

SECTION 1. Any person, firm or corporation, having in his, theirs [their], or its, employ any male person or persons required by law, to pay a poll tax, or to do public road work, shall on demand of the clerk of the school board of any school district, wherein such employees may reside and are required by law to pay a poll tax, furnish to him a list of the names of all employees residing in such school district, liable by law to pay a poll tax; and on the demand of the road overseer of any precinct, shall likewise furnish to him a list of all employees residing in such precinct who are required by law to work on the public roads therein; and if the clerk of any school district or road overseer, shall find on such list so furnished to him as by this act provided, the name or names of any person or persons who have not paid his poll tax or work on the public roads or paid a road tax in lieu of such work as required by law, such clerk and road overseer respectively shall give to such employer the names of all employees found by him on the list furnished as herein provided, together with the statement of the amount of poll tax or road tax, as the case may be, each employee is due and owing and thereupon, every such employer shall pay to such clerk or road overseer as the case may be, the amount due and payable from each employee, taking from the officer collecting the said poll tax or road tax, a separate receipt for the tax of each employee so paid, which receipts shall be and become a complete and counter claim and set off to the amount of their full face value in discharge of any obligation or any manner of indebtedness existing at the time, or which may at any time thereafter exist and be owing to any such employee by the employer paying the same.

SEC. 2. Any employer who shall refuse to furnish the lists of employees or pay the poll or road tax as provided in the preceding section shall be guilty of a misdemeanor and on conviction thereof before any justice of the peace having jurisdiction shall be punished by fine of not less than twenty-five dollars (\$25.00) nor more than one hundred dollars (\$100.00), and the costs of the prosecution, which fines when collected shall be turned into the school fund of the school district the clerk of which made the demand for the lists and payment of poll tax in poll tax cases, and into the road fund of the proper precinct where the demand for the lists and payment on road tax is made by the road overseer and refused by the defendant being prosecuted under the provision of this act.

Approved March 21, 1907.

CUMULATIVE INDEX OF LABOR LAWS AND DECISIONS RELATING THERETO.

[This index includes all labor laws enacted since January 1, 1904, and published in successive issues of the Bulletin, beginning with Bulletin No. 57, the issue of March, 1905. Laws enacted previously appear in the Tenth Special Report of the Commissioner of Labor. The decisions indexed under the various headings relate to the laws on the same subjects without regard to their date of enactment and are indicated by the letter "D" in parenthesis following the name of the State.]

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^a Bulletin out of print.

